LETTER OF TRANSMITTAL

August 18, 1983

The Hon. R. Roy McMurtry, Q.C.
Attorney General for Ontario
Chairman of Task Force

Dear Mr. Attorney:

I am pleased to present to you and your Cabinet colleagues the first report from the staff committee of the Premier's Interministry Task Force on Drinking and Driving entitled Drinking and Driving: A Discussion of Countermeasures and Consequences.

I also would like to express my appreciation to the individual members of the staff committee for the time they afforded this effort:

Richard Bradley	Provincial Secretariat for Justice
Mark Conacher	Ministry of the Attorney General
Gordon Hampson	Ontario Police Commission
Paul Humphries	Ministry of Corrections
Douglas Lucas	Centre of Forensic Sciences
John Moffat	Ministry of Transportation and Communications
Barry Tocher	Ministry of Consumer and Commercial Relations
Keith Waites	Ministry of Education
Judy Watt	Ministry of Health
Ron Farrow	Ministry of Municipal Affairs and Housing

In addition, I would like to extend my thanks on behalf of the staff members for the assistance of Jacqueline Boyle who researched and wrote this discussion paper on our behalf.

Yours truly,

Bruce J. Young

Bruce J. Young, Q.C.
Chairman, Staff Committee

Printed by: A.P. Gordon, Queen's Printer for Ontario

ISBN 0-7743-8501-4

Copies are available from:

Ontario Government Bookstore

880 Bay Street
TORONTO, Ontario
M7A 1N8

Out-of-town requests should be directed to:

Publication Services Section
5th Floor, 880 Bay Street
TORONTO, Ontario
M7A 1N8

Telephone: 965-6015
Toll-free long distance: 1-800-268-7540
In Northwestern Ontario: 0-Zenith 67200

DISCUSSION PAPER

TASK FORCE ON DRINKING AND DRIVING

AUGUST 18, 1983

Submitted by :

Jacqueline Boyle
Director of Research
Premier's Interministry
Task Force on Drinking and Driving

TABLE OF CONTENTS

EXECUTIVE SUMMARY (i)

1 BACKGROUND & OVERVIEW 1

2 STATEMENT OF THE PROBLEM 4

Drinking-Driving Accidents 4
  Statistics 4
  Alcohol as the "Cause" of Accidents 5
  Who Are the Drinking Drivers? 6

The Prevalence of Drinking-Driving 7

Attitude Towards Drinking-Driving 8

The Current Countermeasure System 9
  Countermeasure Effectiveness 9
  The Public's Dilemma 11
  Administrative Constraints 12
  More Data 13

Changing Dimensions of Countermeasures 13
  Citizen Groups 13
  Similar Efforts 14

3 EXISTING CANADIAN PROGRAMS 16

Canadian and Ontario Legislation 16

Ontario Sentencing Patterns 17

Provincial Anti-Drinking-Driving Programs 19
  British Columbia CounterAttack 19
  Alberta Checkstop 21
  Manitoba 22
  Ontario 23
  More Ontario Efforts 25

4 ENFORCEMENT 30

Public Attitudes 30
Police Resources 31
The Issue of Detection 32
Police Attitudes 33
Summary 35

5 LEGISLATIVE DRINKING-DRIVING COUNTERMEASURES 37

International Legislation 37
  Sweden 37
  Finland 37
  Norway 37
  England 38
  France 39
  Czechoslovakia 39
  The Netherlands 39
  Australia 39
  New Zealand 40
  United States 41

Increased Penalties 45
  Effects of Increased Penalties 45
  Towards Alternative Solutions 46
  Suspension/Permanent Revocation of Licence 48

Photo Licences 50

Penalties and Enforcement 50

U.S. Presidential Committee on Drunk Driving 51

Summary of Pros and Cons of Increased Severity of Penalties 52
    Fines -- Pros and Cons 54
    Mandatory Jail Terms -- Pros and Cons 56

Drinking Age 58
    Background 58
    Effects of Lowering or Raising the Drinking Age 58
    Statistics 59
    The Other Side of the Story 60
    Arguments For and Against Raising the Drinking Age 61

Mandatory Jail Terms Raising the Drinking Age - Beyond Statistics 64
    Citizen Rights 64
    Jail: Deterrent or Punishment? 64
    Public Perception of Justice 65
    Protection From Ourselves 66
    The Example of the Marijuana Laws 68

Licensing Alternatives 70
    Background 70
    BAC Restriction for Young Drivers 70
    Suspension/Revocation Possibilities 71
    Reinstatement Possibilities 72
    Driving Age 73

Blood Samples 74
    Background 74
    Concerns 75
    Implied Consent 77

6 COMMUNICATIONS/ADVERTISING 78

Public Information Campaigns 78

Activities by Ontario's Ministries 79
- Attorney General 79
- Solicitor General 80
- Transportation and Communications 81
- Health 81
- Education 82

Government Co-ordination 83

Advertising 84
- L.L.B.O. Directives 84
- Assessment of Alcohol Advertising 86
- B.C. Ban on Alcohol Advertising 87
- Activities in Ontario 88
- Government Options 89

7 SUPPORTING ACTIONS 90

Routine Data Collection 90

Canada-Wide Sharing of Conviction Information 90

Other Options 90
- Photo Licences 90
- Police Telephone Line 91
- Publish Names 91
- Raise Alcohol Purchase Age to 21 92
- Decreased Operating Hours 92
- Responsibility of Licensed Establishment Owners 94

8 CONCLUSIONS AND RECOMMENDATIONS 95

1. A COMMUNITY BASED EFFORT : PROMISE FOR THE FUTURE 95

Pilot Project 97
Changing Attitudes : A Final Option 98

2. PERMANENT OFFICE TO DEAL EXCLUSIVELY WITH DRINKING AND DRIVING 100

The Complex of Organizations and Information 100
The Need for a Permanent Office 100

FURTHER RECOMMENDATIONS 104

1. Increase Visible Police Enforcement 104

2. Institute Photo Licences 104

3. Support Mandatory Blood Samples 105

4. Increase Police Drinking-Driving Enforcement Training 106

5. Improve Government's Drinking-Driving Communications 107

6. Institute Standardized, Computerized Enforcement/Judicial Data Collection 107

7. Improve Access to Drinking-Driving Records 108

RECOMMENDED FOR FURTHER STUDY 110

1. Drinking Age 110
2. Driving Age 110
3. Lengthen Licence Suspension 111
4. Advertising 111
5. Administrative Licence Suspension 112
6. Lower BACs for New Drivers 112
7. Driving Curfews for New Drivers 112

APPENDIX

Appendix I : Associations, Groups and Ministries Contacted

REFERENCES

EXECUTIVE SUMMARY

Despite various initiatives by the government of Ontario, the problem of alcohol-related motor vehicle accidents has remained intractable.

To spur a new assault on the problem and at the request of a citizen group called PRIDE, a task force involving nine ministries and chaired by the Attorney General was established by the Premier in the fall of 1982.

A staff committee representing those ministries was given the job of assessing the drinking-driving problem on an international scale as well as the Ontario government's own efforts while attempting to establish liaison with interested and involved private sector groups, industries and professions.

This discussion paper has been produced as a summary of arguments for and against the various legal, educational and community-based steps that can be undertaken in Ontario.

STATEMENT OF THE PROBLEM

Recognition of the seriousness of the problem prompted indepth research as far back as the early 1930s. By the 1970s, it had become clear that traditional approaches to the problem had achieved no more than short-lived improvements.

Alcohol continued to be involved in the deaths of approximately 50 per cent of all drivers and involved in an accident every 5-1/2 minutes in Canada.

While alcohol is difficult to pinpoint as the cause of accidents, its involvement has prompted repeated countermeasure efforts with enforcement crackdowns or 'blitzes' being the most popular.

While crackdowns have proven successful, their effect tends to be shortlived. Experts speculate that their long-term failure rate can be attributed to the fact that drivers soon realize the risk of detection remains negligible.

Adding to the problem has been society's long-standing acceptance of combining drinking with driving and empathy toward those charged and convicted. The research community now speculates that a fundamental and permanent change in that attitude may be the ultimate solution.

ADMINISTRATIVE CONSTRAINTS

As frustrating as this phenomenon is to both the research and legal communities, the general public has been left with its own dilemma in that it has no convenient means for determining the individual's level of sobriety or impairment. The onus, therefore, falls on the individual to define his or her own limits and to respect them. Such rational decisions cannot be made after the drinking begins.

Frustrating the enforcement end of drinking-driving countermeasures is both the lengthy time involved in processing a single drunk driver and the limitations of existing penal facilities. If both these circumstances remain unchanged, the system itself will continue to regulate the number of offenders who face stiff penalties.

CHANGING DIMENSIONS OF COUNTERMEASURES

A bright light in the current countermeasure scene is the appearance of concerned citizen groups who have brought drinking and driving abuses to the media forefront and who must be encouraged to continue their efforts.

In recent years, one can find both the anti-smoking movement and the federal government's physical fitness PARTICIPaction program prime examples successful efforts to alter public attitude. Both these programs achieved successes by anticipating change over a decade or generation rather than promising and expecting major behavioral changes in the short term.

EXISTING CANADIAN PROGRAMS

Canada	Criminal Code sanctions: - 1st offence - $50 - $2,000 fine, up to six months imprisonment or both - 2nd offence - minimum 14-day imprisonment - 3rd offence - minimum three-months imprisonment Highway Traffic Act of Ontario sanctions: - 1st offence - minimum three-month licence suspension - 2nd offence - minimum six-month suspension - 3rd and subsequent offences - three-year suspension
British Columbia	CounterAttack - stated goals are public information/education, involvement of private sector in countermeasure developments, in-school courses, increased real and perceived risk of apprehension
Alberta	Checkstop - roadside breath testing, emphasis on public awareness plus compulsory one-day alcohol education courses for all persons convicted of impaired driving
Manitoba	- a recent drinking-driving task force has recommended changes covering both the Criminal Code and the province's Highway Traffic Act
Ontario	RIDE - Reduce Impaired Driving Everywhere - efforts to assess its specific effects have been unsuccessful but police remain convinced of its growing impact as reflected in the 1982 Christmas campaign (i.e. more drivers stopped but fewer charged) - 12-hour licence suspension used in the 50-80 mg% level but the system does not appear to be publicized sufficiently to act as a deterrent

ENFORCEMENT

Canadian enforcement efforts have been assisted by the introduction of the Breathalyzer and roadside breath screeners as well as the 1969 Criminal Code amendments which set a BAC limit and permitted breath sampling for prosecution purposes.

However, there has been no lasting effect on alcohol-related deaths and injuries. The task force believes this is attributable, in large part, to the tolerant attitude exhibited by society for the drinking driver -- something we believe is now changing.

We recognize attitude change as a long-term goal with enforcement continuing as our best short-term countermeasure.

While the task force commends law enforcement officers for their countermeasure efforts, it recognizes the limitations imposed by lack of personnel and resources such as the roadside breath screeners.

These two factors are critical for success because, as noted at several points in this discussion paper, enforcement crackdowns remain effective only as long as the public perceives an increased risk of apprehension.

Changes also must come in police priorities if drinking-driving is to receive needed attention and if officers assigned to such duties are to be afforded the recognition and respect we deem crucial for maintaining their long-term support.

LEGISLATIVE DRINKING-DRIVING COUNTERMEASURES

After having looked at efforts around the world, the task force failed to find a successful example of long-term countermeasure and/or enforcement programs.

Different jurisdictions have tried higher and lower BAC limits than exist in Canada as well as varying severity in fines and imprisonment. Some successes can be reported among the group known as social drinkers but there is no documented success in affecting the behavior of either the hardcore or the young drinking-driver.

INCREASED PENALTIES

A look at the effect of increased penalties for drinking and driving is not encouraging as a single solution to the problem. Research found that in attacking the problems at only one level, different facets of the system tend to bring about an automatic counterbalancing effect.

For example, in U.S. jurisdictions where stiff penalties were imposed courts were less likely to convict, officers were less likely to arrest and defendants were more likely to plead not guilty.

Mandatory jail terms, while they would illustrate the seriousness with which drinking-driving is regarded and could act as a general deterrent, pose problems such as straining the already worrisome jail capacity, creating additional public costs and the possibility that fewer convictions actually will occur if the courts and police do not support the policy.

DRINKING AGE

The task force also looked at Ontario's drinking age as a means of affecting a statistical change in the injuries and deaths caused by drinking drivers. However, because of the seriousness of such a move, a decision was made to reserve judgment at the moment to allow for a more thorough look at such a policy change, including anticipated reports from U.S. jurisdictions where a decreased drinking age has been implemented.

LICENSING ALTERNATIVES

As support measures -- and, possibly, alternatives to drastic legislative change -- the task force examined the following licensing alternatives :

1. all those holding a probationary licence be restricted to a lower BAC than a fully-licensed driver
2. a special screening process by MTC to weed out problem drinkers
3. substantial fees for licence reinstatement
4. more -- possibly compulsory -- driver training
5. curfews for newly-licensed drivers
6. travel restrictions for newly-licensed drivers
7. a raised legal driving age

BLOOD SAMPLES

The issue of mandatory blood sampling, while not a jurisdiction of the province, also is of concern. The sampling could be used for both alcohol and drugs and would stop, the task force believes, the dual system of justice that currently exists: one for drivers who are charged for their refusal to provide a breath sample and another for those drivers who are injured or feign injury -- thereby skirting compliance with a breath sample.

COMMUNICATIONS

Public information campaigns, although not credited with affecting a change in drinking-driving practices by themselves, show evidence of being a major determinant in the success or failure of legislative or enforcement campaigns aimed at the drinking driver. It is hoped these campaigns also serve to affect a change in social attitude toward the problem. The necessity of having drinking messages aimed at the different audiences precludes the designation of a single ministry as the government's drinking-driving spokesman. However, there is room for improved co-ordination of in-house efforts.

ADVERTISING

While lifestyle advertising and its effect on alcohol consumption has caused the most public response, Ontario's Ministry of Consumer and Commercial Relations reports that it has not found indisputable evidence that these ads contribute to increased consumption.

Effects are difficult to assess because of overlapping influences such as availability, social mores, etc.

Nevertheless, beer, wine and liquor producers themselves must believe that the benefits of advertising far outweigh its enormous costs, if only for the promotion of their particular brand.

The most sweeping option open to government is a ban on alcohol advertisements although consideration must be given to the problems documented during such a ban in British Columbia where no resulting decrease in consumption could be found.

A COMMUNITY-BASED EFFORT

Because it is the individual who makes the decision whether or not to drink and drive and it is the attitude of society which creates an atmosphere in which a practice is held acceptable or unacceptable, the task force believes Ontario's citizens must be called upon to put pressure on those who combine drinking with driving.

The task force believes this will require :

1. the support of police, legislators, citizen groups and the research community
2. an extensive commitment in time, energy and resources
3. the development of a community program providing the best available information on the subject, community organization and volunteer recruitment techniques as well as the provision of and access to resource materials and drinking-driving experts
4. tackling the problem on all levels -- law, education, conventional and alternative sentencing, rehabilitation programs, communications -- while peer pressure acts as a constant reinforcement.

PERMANENT AGENCY TO DEAL EXCLUSIVELY WITH DRINKING AND DRIVING

The task force found two main obstacles in its attempts to assess the drinking-driving problem : a lack of a central data bank for Canadian statistics and large numbers of people and groups working in relative isolation.

To achieve a co-ordinated and, thereby, effective assault on the problem, the task force recommends :

1. a strong leadership role at the provincial level
2. the establishment of a co-ordinating office to direct future efforts
3. full-time efforts by designated staff
4. assigned accountability to the Premier's office.

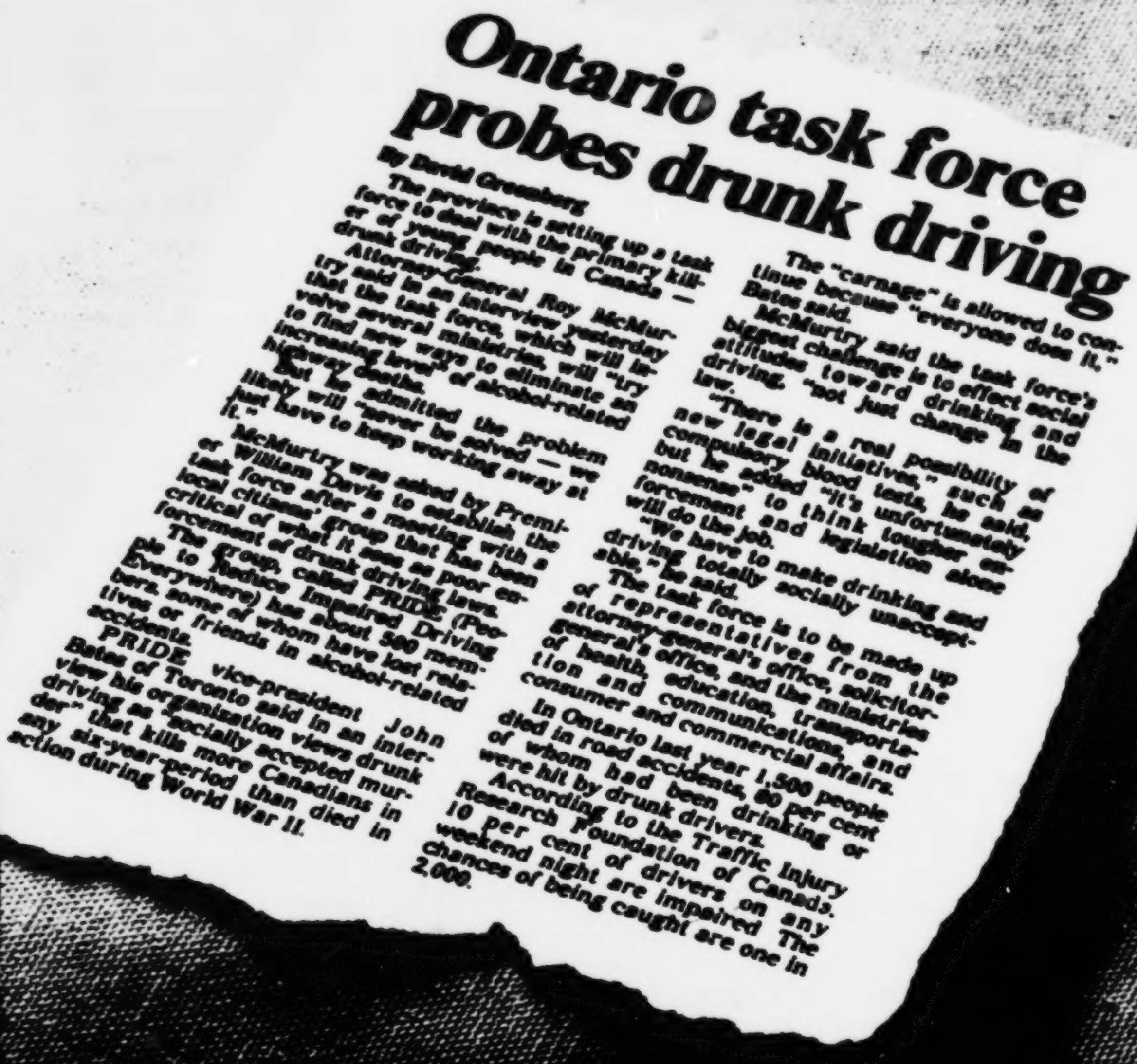
LIST OF RECOMMENDATIONS

1. Establish a permanent office to co-ordinate anti-drinking-driving efforts in Ontario.
2. Government promote and encourage additional initiatives at the community level.
3. Increase visible police enforcement through more roadside checks and use of breath screening devices.
4. Institute photo licences for Ontario drivers and establish new safeguards for licence acquisition.
5. The government of Ontario adopt, and communicate to the federal government, a formal position of support for the mandatory acquisition of blood samples.
6. Increase the amount of drinking-driving law enforcement training given police with additional emphasis placed on the seriousness of the offence and the necessity of greater detection.
7. Improve co-ordination of government's drinking-driving communication efforts.
8. Improve the collection of drinking-driving data in Ontario.
9. Improve access to and keeping of drinking-driving records.

RECOMMENDED FOR FURTHER STUDY

1. Drinking Age
2. Driving Age
3. Lengthening of Licence Suspension
4. Advertising
5. Administrative Licence Suspension
6. Lower BACs for New Drivers
7. Driving Curfews for New Drivers

Background and Overview



Ontario task force probes drunk driving

By David Greenberg

The province is setting up a task force to deal with the primary killer of young people in Canada — drunk driving.

Attorney-General Roy McMurtry said in an interview yesterday that the task force, which will involve several ministries, will "try to find new ways to eliminate an increasing level" of alcohol-related highway deaths.

But he admitted the problem likely will "never be solved — we just have to keep working away at it."

McMurtry was asked by Premier William Davis to establish the task force after a meeting with a local citizens' group that has been critical of what it sees as poor enforcement of drunk driving laws.

The group, called PRIDE (People to Reduce Impaired Driving Everywhere) has about 500 members, some of whom have lost relatives or friends in alcohol-related accidents.

PRIDE vice-president John Bates of Toronto said in an interview his organization views drunk driving as "socially accepted murder" that kills more Canadians in any six-year-period than died in action during World War II.

The "carnage" is allowed to continue because "everyone does it," Bates said.

McMurtry said the task force's biggest challenge is to effect social attitudes toward drinking and driving, "not just change in the law.

"There is a real possibility of new legal initiatives," such as compulsory blood tests, he said, but he added "it's unfortunately nonsense" to think tougher enforcement and legislation alone will do the job.

"We have to make drinking and driving totally socially unacceptable," he said.

The task force is to be made up of representatives from the attorney-general's office, solicitor-general's office, and the ministries of health, education, transportation and communications, and consumer and commercial affairs.

In Ontario last year 1,500 people died in road accidents, 60 per cent of whom had been drinking or were hit by drunk drivers.

According to the Traffic Injury Research Foundation of Canada, 10 per cent of drivers on any weekend night are impaired. The chances of being caught are one in 2,000.

Reprinted with permission-
The Toronto Star Syndicate

BACKGROUND & OVERVIEW

The government of Ontario has been concerned about the problem of alcohol-related motor vehicle collisions for many years and has undertaken a number of initiatives to alleviate the problem. Despite these efforts, the problem has remained intractable to date.

In September, 1982, a citizen group called PRIDE (People to Reduce Impaired Driving Everywhere) wrote to Ontario Premier William Davis with a request that the provincial government establish an interministerial task force to combat the continuing problem of impaired driving.

Many of PRIDE's members, who total more than 600 province-wide, have lost relatives and friends through alcohol-related motor vehicle crashes. The group came together to launch a concerted effort against the all-too-common practice of drinking and driving. *

Premier Davis responded by asking Attorney General Roy McMurtry to establish and chair a task force which included the following eight ministers: Attorney General, Solicitor General, Correctional Services, Education, Transportation and Communications, Health, Consumer and Commercial Relations, and the Provincial Secretariat for Justice. A 10-member support staff committee from the various ministries also was formed.

The staff committee was given four key objectives:

(i) to update the ministers' committee on current government efforts to combat impaired driving in Ontario;

(ii) to assess international efforts to combat the problem;

(iii) to assess and make recommendations on the co-ordination of public education and communication efforts within government; and

---

* NOTE: Where used in this paper, this term should be considered to mean drinking to the point of adversely affecting the ability to drive safely.

(iv) to establish ongoing liaison with local citizen groups such as PRIDE and with the private sector to utilize their energies in influencing the media, educators, motor vehicle manufacturers, the alcohol beverage industry, licensed establishments, law enforcement officials and the courts in the task of moulding public opinion against drinking and driving.

Based on the best available information, the staff working group will make recommendations to the ministers' committee for their consideration regarding proposals to deal most effectively with this problem.

As the first step toward that goal, the following discussion paper has been produced as a summary of arguments for and against the various legal, educational and community-based steps that can be undertaken in Ontario.

It is our hope that in presenting this paper, interested parties will come forward to direct the working staff to any relevant studies or ongoing efforts which should be part of our considerations. By offering both sides of the argument, our aim is to nullify some of the existing myths about the drinking-driving problem, engender a commitment to long-term initiatives and encourage consideration of the long-term effects of any proposed "solutions".

It is the staff committee's belief that neither government nor the courts alone can completely solve this long-standing social and legal problem which has proven itself impervious to the efforts of jurisdictions throughout the world.

Rather, we must look to a fundamental and permanent change in society's attitude toward the dangerous practice of drinking and driving.

While we can punish those who break our laws, we cannot prevent the individual driver from making the sometimes disastrous and fatal decision to drive while impaired.

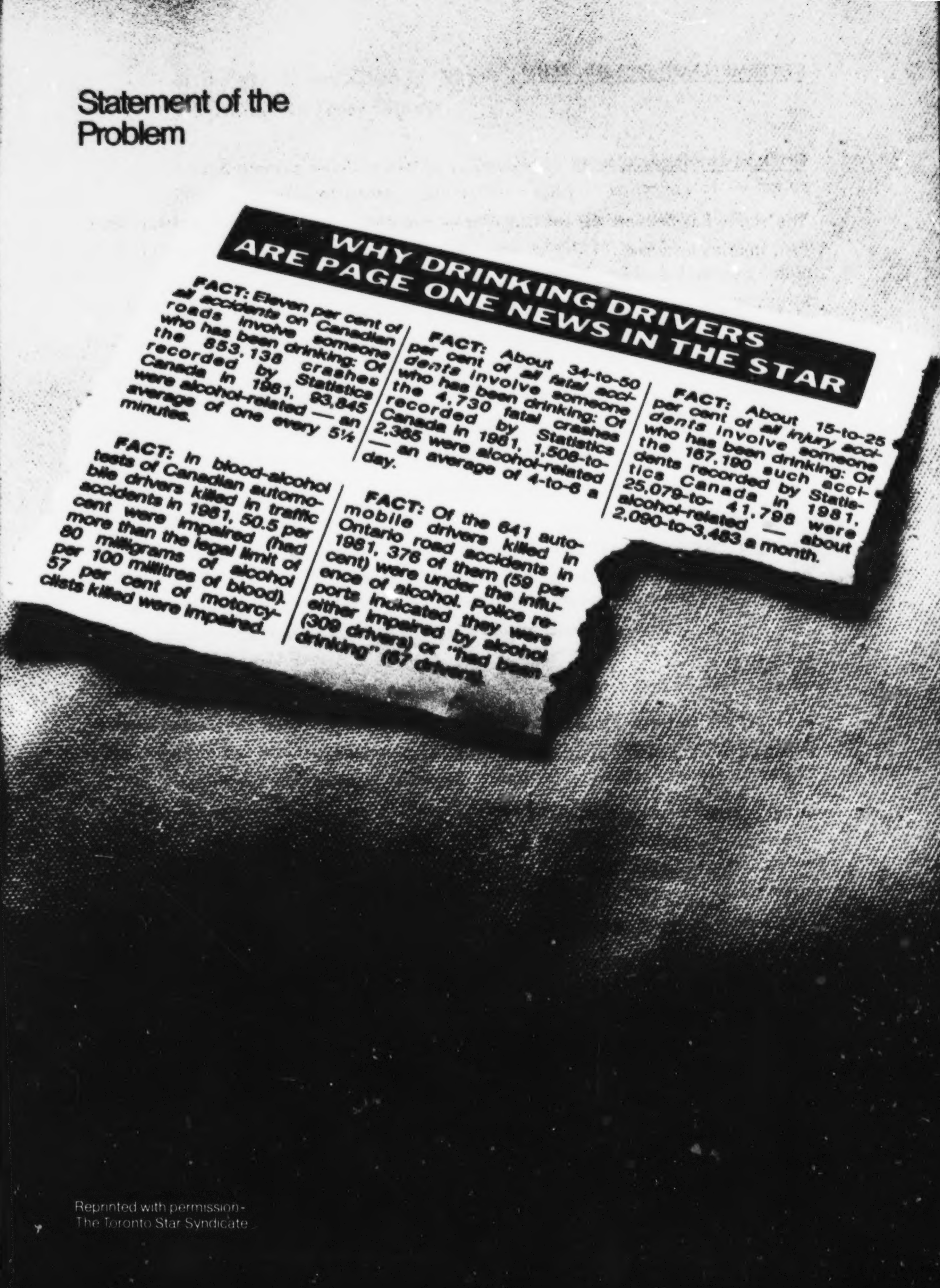
We can raise fines, make more frequent use of jail terms, increase enforcement, establish innovative sentencing alternatives and raise the drinking age, but this will not guarantee that our roads will be devoid of impaired motorists or will even reduce the extent of drinking-driving below its present level.

In the same way that the problem of cigarette smoking has been tackled during the last two decades, it is our belief that a similar approach is necessary to erode society's long-standing leniency toward the drinking driver.

This paper details the various options available to legislators and offers initial suggestions for translating the current anti-drinking-driving momentum into a long-term program of attack.

A copy of this discussion paper is now before the ministers' committee of the task force for its consideration.

Statement of the Problem



WHY DRINKING DRIVERS ARE PAGE ONE NEWS IN THE STAR

FACT: Eleven per cent of *all* accidents on Canadian roads involve someone who has been drinking: Of the 853,138 crashes recorded by Statistics Canada in 1981, 93,845 were alcohol-related — an average of one every 5½ minutes.

FACT: In blood-alcohol tests of Canadian automobile drivers killed in traffic accidents in 1981, 50.5 per cent were impaired (had more than the legal limit of 80 milligrams of alcohol per 100 millitres of blood). 57 per cent of motorcyclists killed were impaired.

FACT: About 34-to-50 per cent of *all fatal accidents* involve someone who has been drinking: Of the 4,730 fatal crashes recorded by Statistics Canada in 1981, 1,506-to-2,365 were alcohol-related — an average of 4-to-6 a day.

FACT: Of the 641 automobile drivers killed in Ontario road accidents in 1981, 376 of them (59 per cent) were under the influence of alcohol. Police reports indicated they were either impaired by alcohol (309 drivers) or "had been drinking" (67 drivers).

FACT: About 15-to-25 per cent of *all injury accidents* involve someone who has been drinking: Of the 167,190 such accidents recorded by Statistics Canada in 1981, 25,079-to-41,798 were alcohol-related — about 2,090-to-3,483 a month.

Reprinted with permission-
The Toronto Star Syndicate

STATEMENT OF THE PROBLEM

Drinking-Driving Accidents

The scene has become all too familiar -- two cars mangled on the roadway, lives lost, injuries inflicted.

"I saw my boy lying very still, his face distorted," one mother recalled of the subsequent hospital scene. "I saw the end of 19 years of living together and watching him grow."

The practice of drinking and driving, far too common in our modern, auto-oriented society, has created its own growing roster of injuries sustained and lives lost -- indiscriminately, unexpectedly and unnecessarily.

Labelled "socially-acceptable homicide" in the past, drinking-driving crashes cannot be tolerated as a continuing part of our future.

Statistics

In 1981, in Ontario alone, at least 10,313 drivers involved in accidents were impaired by alcohol and another 19,326 had been drinking.

Other statistics reveal similar, sad facts:

- an accident in which alcohol is involved occurs every 5 1/2 minutes in Canada;
- at least 50 per cent of all drivers killed have been drinking;
- 11 per cent of all accidents in Canada involve someone who has been drinking;
- alcohol is involved in the deaths of two persons and 81 motor vehicle crashes each day in Ontario;

- of the 641 drivers killed in Ontario in 1981, 58.7 per cent -- or 376 individuals -- had been drinking;

- 45,910 persons were convicted in Ontario in 1981 of the following three drinking-driving offences: driving with a BAC* in excess of 80 mg%; driving while impaired; or failure to provide a breath sample. (In addition, Ontario courts processed 182 criminal negligence convictions, 1,783 dangerous driving convictions, 768 convictions for driving while disqualified and 2,048 convictions for failure to remain at the scene of an accident.); and

- traffic crashes are the fourth leading cause of death in Canada, following coronary heart disease, stroke and cancer.

Alcohol as the Cause of Accidents

One difficulty with after-the-fact accident analysis is that no one knows for certain how many crashes are actually caused by alcohol-impaired driving. Listing it as a factor is one thing. Proving a causal relationship is another.

"Information given to the public and to policymakers has tended to overstate the magnitude of the alcohol-crash problem and the extent to which alcohol plays a causal role in the occurrence of road accidents. Such information feeds mounting public pressure for costly legal and other initiatives and also creates unrealistic expectations of accident loss reductions." (Alberta Workshop, 1983, p.11)

The intent of such a statement is not to diminish the extent of destruction caused by drinking and driving but, rather, to caution the public and legislators alike that a successful anti-drinking-driving program may not necessarily reflect itself in a drastic decrease in the annual number of fatalities.

---

* NOTE: BAC = blood alcohol concentration

For the purpose of program evaluation, accurate numbers are important. However, for the purpose of deciding to do something about alcohol-related accidents, it is not crucial to know whether alcohol-related crashes comprise 23 or 53 per cent of all accidents. Either way, the percentage is unacceptably large.

If we could remove alcohol as a cause of motor vehicle accidents, we would still be left with other factors such as fatigue, distraction, inability to respond to emergencies, road conditions, weather, etc.

Nevertheless, the inability to produce precise numbers does not negate the fact that the combination of alcohol and driving has killed our siblings, parents, children and friends.

The fact is that we do not appear to know enough about what constitutes a drinking driver to deter him or her. What we do know is that once a person is impaired, the pharmacological fact is that he or she is unable to make a rational decision.

Who Are the Drinking Drivers?

A further difficulty arises from the knowledge that it is necessary to change the behavior of more than one kind of driver -- the so-called 'hardcore' or 'problem' drinker as well as those we categorize as 'social drinkers' -- those not dependent on alcohol and who drink in moderate amounts. (Young drivers are treated as a separate category by the research community as well.)

Assuming the problem drinking driver and the young drinking driver are self explanatory categories, we are left with the other types of "social" drinkers:

(i) those who drive confident of their sobriety but, as statistics show, woefully ignorant of their level of impairment

(ii) those who know they "really shouldn't" drive but believe they can reach their goal through increased concentration

(iii) those who are aware of the legal definition of impaired driving but choose to base their judgment on a personal assessment of co-ordination, level of awareness and distance to be travelled

(iv) those whose decision to drive is based solely on their perceived risk of apprehension

(v) those who reject any definition of impairment, believing that alcohol actually makes them a better or more confident driver

(vi) those who are simply too drunk to make any rational decision regarding their ability to drive, the morality of such behavior or to make an assessment of risks involved.

It is the young and social drinkers and their response to drinking-driving crackdowns such as police blitzes that researchers point to as the source of statistical change during these efforts.

The Prevalence of Drinking and Driving

In 1979, Ontario carried out a Roadside Blood Alcohol Concentration survey of some 10,000 drivers. This took place between 9 p.m. and 3 a.m. on Wednesday, Thursday, Friday and Saturday nights during the spring.

Drivers were stopped on the side of the road and asked to answer some questions and provide a breath sample which was analyzed on the spot. Of the 94 per cent who provided a breath sample, 6.6 per cent of all drivers (or 1 driver in 15) had a BAC in excess of the legal limit of 80 mg%.* Approximately 8.5 per cent of drivers (1 driver in 12) on the road would have been eligible for a 12-hour suspension (since their BACs were between 51 and 100 mg%) and a further 4.7 per cent of drivers (1 in 21) would have been eligible for a Breathalyzer test and possible charge (since their BACs were in excess of 100 mg%).

---

* NOTE: 80 milligrams of alcohol in 100 millilitres of blood will be abbreviated throughout this paper as 80 mg%.

The survey showed that while there are fewer drivers on the road late at night, proportionately more of them have been drinking. Between 2 a.m. and 3 a.m. 16.4 per cent of drivers (1 in 6) would have been eligible for a 12-hour suspension and a further 8.5 (1 in 12) would have been eligible for a Breathalyzer test.

Attitudes Toward Drinking and Driving

Experts recognize that the main stumbling block in the battle against the drinking driver is the current social acceptability of combining those two activities.

The drunk drivers who makes it home without damaging property or person are regarded differently from the 'killer drunk.' They are more 'acceptable drunks,' who can be excused because: 1) it just wasn't like them; 2) because they did no one or nothing any harm; or 3) no one is perfect. These are the "lucky" ones.

For the "unlucky" drunk driver -- the one who was stopped and charged -- there always exists the "there but for the grace of God" attitude enunciated by his fellow citizens in which to find some solace or, indeed, justification for an error in judgment.

As citizen and professional groups gain greater attention in their fight against drinking and driving, their efforts underline what may be the ultimate solution to the problem -- a fundamental and permanent change of attitude by our entire society toward the drinking driver.

While we may never be able to ensure that all drunks are off our roads, any impaired driver -- the one who is apprehended and the one who makes it home -- must be recognized and labelled as a menace to our community. Condemnation, not rueful acceptance, of such behavior must become the instinctive reaction of friends, relatives and co-workers.

Drinking drivers, like armed robbers, must be suspect and should be feared as an infinitely more serious threat to life.

Today, the lists of impaired drivers are not dominated by people who intentionally put others at risk. Rather, they demonstrate that for far too long, the unacceptable practice of drinking and driving has been deemed acceptable by otherwise law-abiding citizens. The fact is, we do not know our limits and we have opted to drive with diminished ability to cope with the everyday emergencies of a child stepping off a curb, a driver changing lanes without signalling, a bicycle wavering slightly into traffic.

In future, we must recognize that we are the targets for an anti-drinking-driving campaign. We are, in this battle, our own worst emenies.

In accepting responsibility for our own actions and that of our drinking-driving companions, we must also look to the courts for an equally responsible and responsive handling of those who break the law.

The Current Countermeasure System

Drinking-driving is not a new phenomenon. For more than 50 years governments and private groups have attempted to reduce the frequency of alcohol involvement in crashes.

Concerned individuals and groups around the world have attempted a variety of countermeasures: legislation (legal BAC limits, penalty modification, fines, mandatory jail, licence suspension); enforcement; public information campaigns; advertising; and programs involving several of these actions simultaneously.

It is not known if these activities are, in fact, affecting alcohol crash rates in the long term, although temporary improvements are beyond dispute.

What this list of attempts has done is arm us with the frustrating knowledge that there is no simple solution to the drinking-driving problem.

Countermeasure Effectiveness

Studies in various jurisdictions reveal that drivers' initial positive response to a police enforcement blitz -- whether brought about by fear of apprehension or aroused social conscience -- often goes the forgotten route of so many good intentions with drivers returning to their former driving standards within a finite period after a blitz is initiated and sometimes to a more reckless degree.

Prof. H. Laurence Ross,* whose studies on international countermeasure campaigns are held in high regard by the research community, speculates: "... their initial results and their subsequent decay are due to an initial overestimation of the probability of punishment, produced by the publicity and newsworthiness of the new laws, followed by drivers learning through experience that the risk of punishment remains negligible."

The proceedings of a 1981 research workshop on alcohol and road accidents, sponsored by the Alberta Alcoholism and Drug Abuse Commission, concluded: "A better understanding of how people assess the risk of arrest, and of the influence of alcohol on this assessment, could support the development and design of programs to reduce the frequency of drinking and driving."

As the acquisition of such information does not appear likely or possible in the short term, this tends to leave the focus on legislative efforts -- their enforcement and deterrent effects.

However, a review of such attempts to combat the problem (see International Legislation) produces an equally dismal prognosis of success.

"The general deterrent effects of penalties alone are difficult to identify, primarily because drinking behavior will also be influenced by levels of enforcement and public education campaigns. Research suggests, however, that it may be effective in changing the drinking-driving patterns of moderate or social drinkers but not of the problem drinker. The special deterrent effect of penalties is also in doubt. Studies by Buikhuisen and Steenhuis have indicated that the effect of penalties in changing behavior is small or non-existent." (OECD, 1978, p.81)

---

* NOTE: H. Laurence Ross, who recently accepted a position with the University of New Mexico as dean of sociology, is a former professor of sociology and adjunct professor of law at the State University of New York at Buffalo. After receiving a Ph.D. in sociology in 1959 from Harvard University, Ross taught at Northwestern University, New York University and the University of Denver as well as being director of the Program in Law and Social Sciences at the National Science Foundation. Ross has held visiting appointments in socio-legal studies at Oxford University and the University of Geneva, and been Fullbright Lecturer at the University of Louvain, Belgium. He has written extensively concerning law and the automobile and is considered an expert in international drinking-driving laws.

The Public's Dilemma

But if researchers and legislators alike are frustrated in their attempts to identify not only the personality of the drinking driver but also an effective deterrent, the public is also left with its own dilemma.

Drinking and driving is legal within certain limits but the public has no convenient means for determining reliably their state of sobriety or impairment. In establishing 80 mg% as an offence level in Canada, we know that there is no allowance being made in either direction -- not for the experienced drinker who may feel the effects of alcohol less, nor for the novice drinker who feels the effects more.

Hence the need for the more general, driving-while-impaired category -- for those who are impaired below the 80 mg% level and for those occasions when breath testers are not available.

In finding it desirable to draw a line somewhere -- in Canada's case, at the 80 mg% point -- we can offer the public only general guidelines on the amount of alcohol which can be consumed by a person of a specific weight within a specified time before the legal limit is surpassed.

Tests in the United States have shown, however, that the installation of breath testers in drinking establishments did little to deter drinking drivers but, rather, merely produced a driver who was more knowledgeable of his/her BAC but equally willing to run the risks.

The argument is also made that in providing breath testers en masse, we may be encouraging people who normally would drink only a small amount to drink to the maximum below 80 mg% ; i.e. this is a case where ignorance could well work in society's favor.

Those arguments made, one is forced to acknowledge that the worst but inevitable judge of sobriety and impairment is the individual. Because we cannot supply each of our citizens with a portable breath tester, because we cannot impose our judgment on another whose ability to drive appears questionable, the onus must fall on the individual to take seriously the responsibility of defining his or her own limits before they start to drink -- and respecting them after the drinking begins.

Administrative Constraints

Two major administrative difficulties inhibit attempts at drinking-driving countermeasures.

The first is the time involved in laying a drinking-driving charge. It takes a police officer between 2-1/2 and five hours to process just one drunk driver, depending on the distance to the nearest Breathalyzer and whether there is a full-time Breathalyzer operator available in the particular location. This does not account for the additional time required for court appearances.

The second difficulty is what the system can do with the drinking drivers once they are charged. While efforts continue in the area of alternative sentencing (e.g. community service orders and alcohol rehabilitation programs), the large number of convicted offenders prevents its across-the-board use and, as shown by public reaction, cannot always offer the punishment society deems suitable for the crime.

Jail, the most severe option possible, may be inappropriate for across-the-board implementation due to the existing problem of overcrowded penal institutions.

With the limitations imposed by the paper work currently deemed necessary as well as by the existing legislation and inadequate facilities for detention, the number of offenders who can be processed is regulated by the system itself. A serious attempt to charge more drinking drivers would require a streamlined system of administration coupled with an expansion of existing jails and prisons.

As a first step in this direction, it is essential that data be collected to describe precisely what is happening in the enforcement and judicial areas. Once collected, it can be integrated into models which can be used to predict the effect of a proposed coutermeasure on the system.

More Data

While attempts have been made by agencies such as the Addiction Research Foundation to do surveys of sentences being administered by the courts, the lack of readily-available and complete statistics remains.

While media accounts may lead one to believe that drinking drivers are being dealt only glancing blows in our courts, the task foce will await a full assessment on court action before making any recommendations in this area.

CHANGING DIMENSIONS OF COUNTERMEASURES

Citizen Groups

A positive change in the drinking-driving countermeasure scene is the appearance of citizen groups such as PRIDE - People to Reduce Impaired Driving Everywhere. Putting pressure on social leaders and their fellow citizens for action, these groups express legitimate outrage, often based on personal experience with drinking-driving's end result -- injury and death.

In a tragic sense, they have become "experts" on the consequences of drinking and driving. At the same time, in a positive sense, they have been able to create an unprecedented awareness in society of this daily tragedy.

The momentum begun by these groups must be maintained and expanded. The task force believes the continued active support of citizen groups is vital to any future anti-drinking-driving efforts.

Also, we believe these groups require improved access to the most up-to-date information on countermeasure activities as well as a direct line of access to the various government ministries involved with drinking and driving.

Similar Efforts

Changing the attitudes of society is no small task -- but it can be done.

In the last two decades, two programs with considerable government backing have succeeded in changing attitudes.

The first is the anti-smoking movement which led to non-smokers asserting themselves against smokers who had inconvenienced them for decades. Today, individuals often ask that others not smoke in their presence -- and compliance is the usual response. Smoking has become, to a large segment of the population, a non-glamorous and often unacceptable behavior.

The second program which has brought about an attitudinal change is PARTICIPaction.

Only 10 years ago, joggers were a rarity and physical fitness activists, in general, existed as a distinct and separate element of the population.

Today, jogging is promoted and practised by large numbers of both sexes and in all age groups. Those of us who are not exercising, are at least beginning to think we should.

The goals of both the anti-smoking movement and PARTICIPaction clearly are being realized and these two "attitude-change" programs have a number of things in common:

- Both began with considerable government backing

- Both were based on a health-care model (where the aim is to modify behaviors which act as a detriment to life and health)

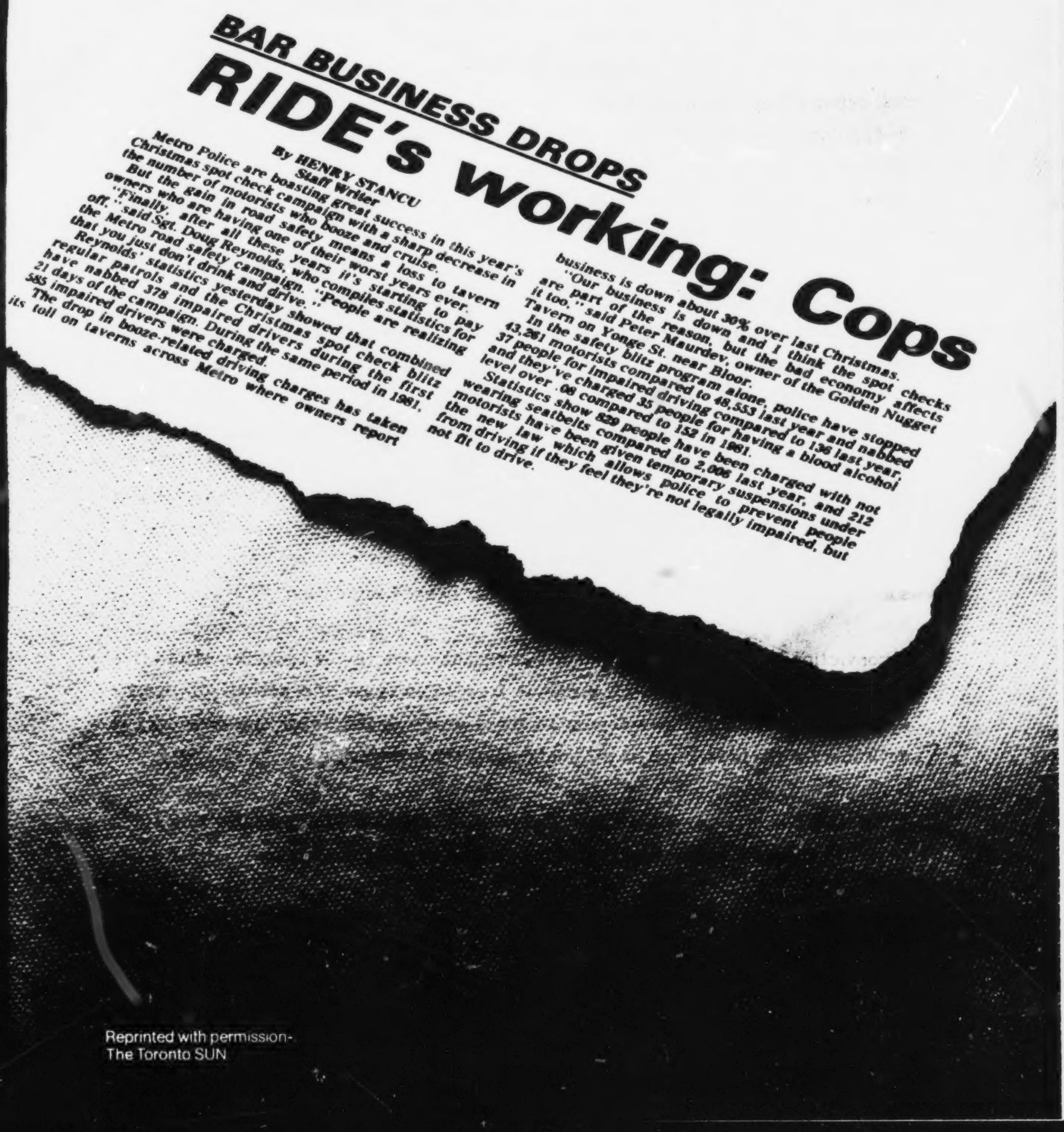
- Both used a multi-facetted approach

- Both were based on long-term planning with results anticipated over decades or generations, rather than in the short-term

- While both started as government programs, they slowly resulted in broad-based public support (i.e. attitude change) being translated into individual initiatives (e.g. restaurants providing non-smoking areas, sports clothing and equipment becoming readily available and fashionable).

Signs of an attitude change toward drinking and driving also are beginning to appear.

Existing Canadian Programs



BAR BUSINESS DROPS

RIDE's working: Cops

By HENRY STANCU
Staff Writer

Metro Police are boasting great success in this year's Christmas spot check campaign with a sharp decrease in the number of motorists who booze and cruise.

But the gain in road safety means a loss to tavern owners who are having one of their worst years ever.

"Finally, after all these years it's starting to pay off," said Sgt. Doug Reynolds, who compiles statistics for the Metro road safety campaign. "People are realizing that you just don't drink and drive."

Reynolds' statistics yesterday showed that combined regular patrols and the Christmas spot check blitz have nabbed 378 impaired drivers during the first 21 days of the campaign. During the same period in 1981, 585 impaired drivers were charged.

The drop in booze-related driving charges has taken its toll on taverns across Metro where owners report business is down about 30% over last Christmas.

"Our business is down and I think the spot checks are part of the reason, but the bad economy affects it too," said Peter Maurdev, owner of the Golden Nugget Tavern on Yonge St. near Bloor.

In the safety blitz program alone, police have stopped 43,261 motorists compared to 48,553 last year and nabbed 37 people for impaired driving compared to 136 last year, and they've charged 35 people for having a blood alcohol level over .08 compared to 152 in 1981.

Statistics show 829 people have been charged with not wearing seatbelts compared to 2,006 last year, and 212 motorists have been given temporary suspensions under the new law which allows police to prevent people from driving if they feel they're not legally impaired, but not fit to drive.

Reprinted with permission-
The Toronto SUN

EXISTING CANADIAN PROGRAMS

Canadian and Ontario Legislation

As directed by the Criminal Code of Canada, drinking-driving convictions carry the following penalties :

1st offence - $50 - $2,000 fine
- up to six months imprisonment, or both
2nd offence - minimum 14-days imprisonment
3rd offence - minimum three-months imprisonment

There are similar penalties for failing to provide a breath sample for police analysis.

Any changes in these penalties are within the sole jurisdiction of the Parliament of Canada. It should be noted that discretion as to the actual penalty imposed rests with the courts.

As directed by the Highway Traffic Act of Ontario, drinking-driving convictions carry these additional penalties :

1st offence - minimum three-month licence suspension
2nd offence - minimum six-month licence suspension
subsequent convictions - minimum three-year licence suspension

A conviction is held to be a second or subsequent conviction if it occurs within five years of the first offence. A judge is free to increase the periods of licence suspension mentioned above for up to three years where he or she considers it desirable for the protection of the public using the highways.

Conviction for driving with a suspended licence carries a $250 - $2,000 fine for a first offence and a $500 - $2,000 fine for each subsequent conviction.

Although rarely used, The Highway Traffic Act also allows a judge the option of impounding for up to three months the vehicle owned by a person convicted of impaired driving.

The power to impound the motor vehicle of an impaired driver also has been given to the police in a limited manner under Ontario's spotcheck legislation. A vehicle can be impounded and a driver's licence suspended for 12 hours in circumstances relating to the roadside breath testing of drinking drivers.

As a point of information, the Crown must serve notice of its intent to prosecute and seek the appropriate sentence for a second or subsequent offence. Once notice is served, either the accused or the defence counsel can demand proof of prior conviction from the Crown. This process can prove rather arduous as arrests for drinking-driving offences do not necessitate the taking of fingerprints and identification of the accused therefore requires testimony from the arresting officer for the previous offence or offences.

A further difficulty is that MTC does not have impaired driving convictions readily available if they occurred more than five years ago. In a recent Ottawa case, the problem of proving 10 prior convictions for drinking and driving since 1974 underlined the lack of adequate record keeping.

A brief survey by the task force of four provincial jurisdictions revealed a variety of sentences being imposed.

Ontario Sentencing Patterns

Sentencing patterns for impaired driving convictions in four Ontario jurisdictions according to the task force survey, are as follows :

TORONTO

1st offence	- usually $1 a point based on BAC reading e.g. 150 mg% = $150
2nd offence	- mandatory 14-day jail term but often sent home from jail for lack of space

- Crown routinely asks for licence suspension beyond the specified six months but is usually refused

3rd offence - three-month jail term usually imposed

Sentencing for a first offence involving a fatality with a reading well over 80 mg%, can be a heavy fine to a jail term ranging from six months to two years less a day.

OTTAWA

1st offence - $250 fine

2nd/3rd offence

- often complicated by defence counsel requiring strict proof of previous record
- Crown notes stiffer penalties of late
- Crown requests for extended licence suspension sometimes granted

LONDON

1st offence - $250 - $300 fine

1st offence and fatality

- not more than usual fine

2nd/3rd offence

- heavier fine than normal (e.g. $2,000) has been given rather than mandatory jail term

SAULT STE. MARIE

1st offence - $350 fine

- $400 - $500 fine for extremely high BAC (e.g. 250 mg%)

2nd/3rd offence

- 14-day or three-month jail term usually imposed
- as in Toronto, lack of space may result in a four-day credit being given to a person who arrives to serve weekend in jail.

Provincial Anti-Drinking-Driving Programs

Four Canadian provinces are known to be actively involved in organized anti-drinking-driving efforts: British Columbia with its CounterAttack; Alberta with Checkstop; Ontario with the RIDE program (Reduce Impaired Driving Everywhere) as well as its interministry task force on drinking-driving; and Manitoba where a drinking-driving committee completed its recommendations to the provincial government in July of this year.

Efforts in the other provinces appear to be limited to some alcohol education in the schools, the use of police as high school speakers, anti-drinking-driving communications programs using radio, television and the print media (mainly at Christmas time) and increased enforcement of drinking laws during that same period.

British Columbia -- CounterAttack

A 1980 internal evaluation of British Columbia's CounterAttack program claims "a very real initial decrease in the number of alcohol-related casualties" in that province.

However, that success appears to be based on the fact that the total number of alcohol-related accidents and fatalities was less than the number projected. In fact, the actual number of alcohol-related accidents increased in number.

With the exception of 1977, the year CounterAttack was initiated and when there was a 21.3 per cent decrease in alcohol-related fatal crashes, the figures rose:

1978 - + 11.0% over 1977
1979 - + 5.5% over 1978
1980 - + 18.4% over 1979

CounterAttack's initial goals were :

(i) public information/education -- to increase awareness of the problem and decrease tolerance of the behavior

(ii) community programs -- to involve business, labour, social and other private sector groups in developing and adopting countermeasure initiatives

(iii) school programs -- to provide alcohol and driving information within existing, applied curricula

(iv) law enforcement -- to increase real and perceived risk of apprehension and develop new enforcement techniques

(v) law review -- to recommend related reform in legal systems

However, since the progam's day-to-day operations were transferred to the provincially-owned Insurance Corporation of B.C. (ICBC) almost three years ago, activities have centered on general traffic safety as opposed to specific drinking-driving efforts.

In the spring/summer of 1983, new CounterAttack television commercials were produced for the first time in more than two years. These, combined with pamphlets, posters and various vehicles for the CounterAttack logo, appear to constitute the province's drinking-driving countermeasure efforts. Complaints from local chapters of M.A.D.D. (Mothers Against Drunk Drivers) about the inaccessibility of government continue with mixed reaction on the part of government officials to this form of citizen involvement.

The province has 14 BATmobiles (mobile breath alcohol test units) but lack of manpower restricts their use to "parked billboards" as opposed to operational units. Less than one per cent of drivers stopped are charged with impaired driving.

An evaluation of CounterAttack's mass media advertising shows viewer recognition of television ads -- 18 months after programming -- was high at 73.1 per cent with 68.3 per cent for radio.

The internal evaluation of CounterAttack emphasizes that before such a program can be effective, "long-term, continuous educational commitments must be made by governments, educational institutions and the general public."

It also stresses that drinking-driving countermeasures can meet a formidable obstacle if enforcement agencies are unwilling to extend an adequate commitment.

"It may take 10 or more years to show a cost-benefit payoff in terms of declining rates of lives lost and of drivers who are drinking."

ICBC's traffic safety division has stated its intent to make drinking-driving a key part of its operations in the near future.

However, tracking the success or failure of drinking-driving countermeasure efforts is made virtually impossible in B.C. under the current system of data collection. One B.C. official noted that it had not been possible for the main fatality data sources (i.e. police, coroner and transport officials) to come within 10 of each other on the total number of motor vehicle fatalities. Also, due in part to cost, raw data on alcohol-related crashes is not presently being translated into statistics which also inhibits tracking of the success or failure of drinking-driving countermeasures.

The CounterAttack program costs approximately $2-million per year to operate.

Alberta -- Checkstop

The Checkstop program, which began in October, 1973, is similar to Ontario's RIDE efforts of the later 1970s in that it involves roadside breath testing and an emphasis on public awareness.

Run periodically -- in a blitz fashion -- Checkstop is under the jurisdiction of the Solicitor General with the co-operaton of local police and the RCMP.

Hand-in-hand with Checkstop is a compulsory one-day alcohol education course for all persons convicted of impaired driving, designed and administered by the Alberta Alcohol and Drug Abuse Commission.

In the original assessment of the program (i.e. Did people really learn anything? Were recidivism rates affected?), Transport Canada concluded that recidivism probably was not affected by the course itself. (A new assessment is planned.)

A 1981 assessment of the mass media communications regarding Checkstop produced encouraging statistics with 96 per cent of those interviewed acknowledging awareness of the program and 53 per cent saying they felt it had been effective in combatting the drinking-driving problem.

"A necessary condition for deterrence is that people must know the law pertaining to drinking and driving." (Vingilis, Task Force Submission, 1982, p.6)

Interestingly, the Alberta drivers' attitude survey also found that three-quarters of those interviewed supported mandatory jail terms, 40 per cent favored increased fines and 23 per cent suggested increased enforcement as a key element in reducing drinking-driving behavior.

Sixty-six per cent of the women and 45 per cent of the males surveyed had never been stopped.

Manitoba

Following a year of study, Manitoba's task force on drinking and driving presented its recommendations to the Attorney General in July of this year.

Deciding against changes to either the drinking or driving age, the task force's primary recommendation was to have the Attorney General push the federal government for legislation regarding the taking of bodily substances.

The committee also recommended:

(i) A central committee be established representing all interested groups in the province to "share ideas, encouragement and resources" to co-ordinate anti-drinking-driving efforts in the province.

(ii) Expansion of the province's high school driving course with added emphasis on alcohol education.

(iii) Expansion of the junior high school curriculum to include the hazards of impaired driving.

(iv) Expansion of the Impaired Drivers' Program, operated by the Alcoholism Foundation of Manitoba, to cover all areas of the province and to include first-time offenders.

(v) Amendments to the Highway Traffic Act to establish a re-licensing fee for all drivers suspended for impaired driving convictions.

(vi) The penalty for driving while suspended, when the suspension was for a serious offence such as drinking and driving, should be a mandatory jail sentence of up to 30 days.

(vii) There be no appeal to Manitoba's Licence Suspension Appeal Board for a suspension arising as a result of a conviction for driving while suspended.

Ontario

Ontario's RIDE program was started in Metropolitan Toronto in 1979, following a pilot project effort in the borough of Etobicoke. It or similar programs have been adopted by several police forces in other jurisdictions.

Designed by the Addiction Research Foundation in co-operation with Metro Police, RIDE operates with a blitz-style of enforcement -- its most aggessive efforts occurring during the month of December.

Attempts to assess the impact of RIDE have been unsuccessful. Other influences such as the initiation of a similar program in the Niagara area (with its resulting publicity) and the growing attention being paid to the drinking-driving problem by the media hinder a determination of success or failure that can be attributed solely to RIDE efforts.

However, the police remain convinced of a growing impact of RIDE on the drinking-driving population.

Based on written public reaction to their efforts, the police believe the program has helped spur organized citizen reaction to the problem and promote good rather than ill will between citizens and police.

During 1980, the program's first full year of operations, alcohol-related accidents (which include drivers who had been drinking as well as those classified as impaired) dropped from the previous year's total of 4,937 to 4,807. In 1981, that figure dropped to 4,726 for a decrease of 81 accidents and in 1982, alcohol-related accidents dropped to 4,441.

The Christmas blitz campaigns in Metro Toronto also reflect improved drinking-driving practices as witnessed by the number of drivers stopped, tested and charged:

	DRIVERS STOPPED	# OF ALERTS	# OF CHARGES
1981	56,515	770	365
1982	61,970	1,367	243

The Metropolitan Toronto Police Force, equipped with 30 ALERTS and 20 Breathalyzers, also issued 10,640 12-hour licence suspensions to drivers during 1982, the first full year of operation for that system. About 2,600 of these involved cases where no drinking-driving charges were laid.

Although the 12-hour suspension system, instigated when drivers register a minimum of 50 mg% in ALERT testing, does not appear to be well publicized, many police regard the suspension as serving its warning function successfully.

Police co-operation in preventing the suspension system from becoming a punitive measure resulted in only 16 vehicles being impounded over the 1982 period by the Metro police. Lack of a sober driver to take control of the vehicle, particularly in circumstances where a vehicle could not be left in a high-traffic and high-risk area such as the city's Don Valley Parkway, are cited as reasons for impounding.

Ontario Provincial Police report extensive use of the suspension system with 10,538 issued in 1982 and a resulting 5,098 vehicles towed away. Few complaints were received about this.

The OPP, whose efforts are concentrated on the highways, have been forced to use towing extensively to avoid hazards and potential theft.

More Ontario Efforts

Under the Liquor Licence Act, five reclamation centres have been proclaimed: the Vanier Centre for Women, Ontario Correctional Institute, Kenora Jail, Monteith Correctional Centre and the Rideau Correctional Centre. In each of these, attempts are made to assist with the problem of alcohol abuse as well as its effects on road safety.

Some of the approaches in our institutions are as follows:

(a) Vanier Centre for Women

Inmates may participate in an Alcoholics Anonymous (A.A.) group held within the Centre or, if permission is granted, attend different A.A. groups in the surrounding community. In addition, individual and/or group counselling is available with a clinically-supervised psychologist.

(b) Ontario Correctional Institute

Initially the Ontario Correctional Institute was designed to treat alcoholism, drug addiction and sexual deviation. At present, the staff at the Ontario Correctional Institute consider alcoholism to be a symptom of an underlying problem and they approach it in that manner. In addition, A.A. holds groups within the Institute twice per week and inmates may also go to community A.A. programs.

(c) Kenora Jail

In addition to regular counselling, A.A. volunteer programs are offered once a week and are available to all inmates who feel they have an alcohol problem.

(d) Elgin-Middlesex Detention Centre

Two A.A. sessions are held per week.

(e) Millbrook Correctional Centre

Two A.A. sessions are held per week as well as two staff members giving individual and group counselling when indicated. Toward the end of their sentences, inmates are permitted to use temporary absence programs (T.A.P.) to attend A.A. programs in the community.

(f) Quinte Detention Centre

Once a week A.A. holds a session in the Centre. A Drug and Alcohol Counselling Program is conducted one day per week by a physician and social worker.

An assertive training program in addition to individual counselling is provided by two psychologists once a week as is an A.A. session. A Life Skills Program which partly deals with alcoholism is provided through a contractual relationship by Loyalist College.

(g) Ottawa-Carleton Detention Centre

One A.A. session per week is held.

(h) Hamilton-Wentworth Detention Centre

An A.A. group is held on each of the three floors in the Centre per week. Selected inmates attend the Alcohol Program for four weeks at the Chedoke Hospital. The Addiction Research Foundation (ARF) comes in as required for individual assessment and counselling as well as delivering alcohol-awareness lectures.

(i) Monteith Correctional Centre

There is an alcohol program held two evenings per week under the direction of a nurse and a classification officer. An A.A. group session is held two days a week with volunteers from the community also running an A.A. session.

(j) Rideau Correctional Centre

Group and individual counselling and A.A. groups are held as well as inmate participation in A.A. groups within the community.

COMMUNITY PROGRAM DIVISION

Mississauga - Drug/Alcohol Program

1) The participants in this program are alcohol abusers, referred following an assessment by a team panel.

2) Sessions consist of ongoing counselling on a one-to-one basis. Use is made of outside treatment facilities including Alcoholics Anonymous.

3) There are approximately 90 clients per year at any one given time.

4) There is no cost.

Espanola

1) Clients are second offence drinking drivers referred by the Court.

2) The program includes medical personnel giving advice on alcoholism and its effects, the Crown Attorney giving the legal aspects, the O.P.P. advising on the Criminal Code, Highway Traffic Act, and civic claims, an A.A. or Al-Anon member discussing drinking, a discussion of safe driving habits, films on drinking, question and answer periods, and group evaluation.

3) There is no cost.

Ottawa West

1) Clients are 2nd and 3rd time impaired drivers. At the judges' discretion a fairly high reading first time offender would be referred.

2) This is an educational program run by resource personnel and includes the use of audio visual aids as well as speakers from the Ministry of Transportation and Communications, physicians, lawyers, police and ARF personnel.

3) There are 11 consecutive sessions, 2 hours in duration with 10-15 clients in each session.

4) There is no cost.

5) There is follow-up in that all clients are on probation, and if further treatment is necessary they may be referred to treatment agencies.

Chatham - Drug and Alcohol Program

1) Participants include those with drug or alcohol related problems.

2) This program has three components including compulsory attendance at A.A., an educational program by resource people and guest lectures, as well as intensive treatment for those requiring it.

3) There are a minimum of 12 participants with 3-4 sessions per year.

4) Costs are minimal at present but are expected to increase.

5) Follow-up is done.

Danforth - Pape -- 2 Programs - Special Addictions Counsellor
- A.A.

1) Both programs consist of alcohol abusers with referrals by both probation officers and the courts.

2) The programs consist of standard A.A. counselling as well as one-to-one sessions run by the Special Addiction program counsellor.

3) Each program involves approximately six clients with no fixed length of treatment.

4) There is no cost for either program.

Windsor - Drinking/Driver Awareness Program

1) Participants include impaired drivers, problem drinkers, and those who are chemically addicted with most being court referrals.

2) Education includes what the law has to say about the use and operation of a motor vehicle while under the influence of alcohol, what affects alcohol has, myths about alcohol as well as a self-analysis of drinking behavior.

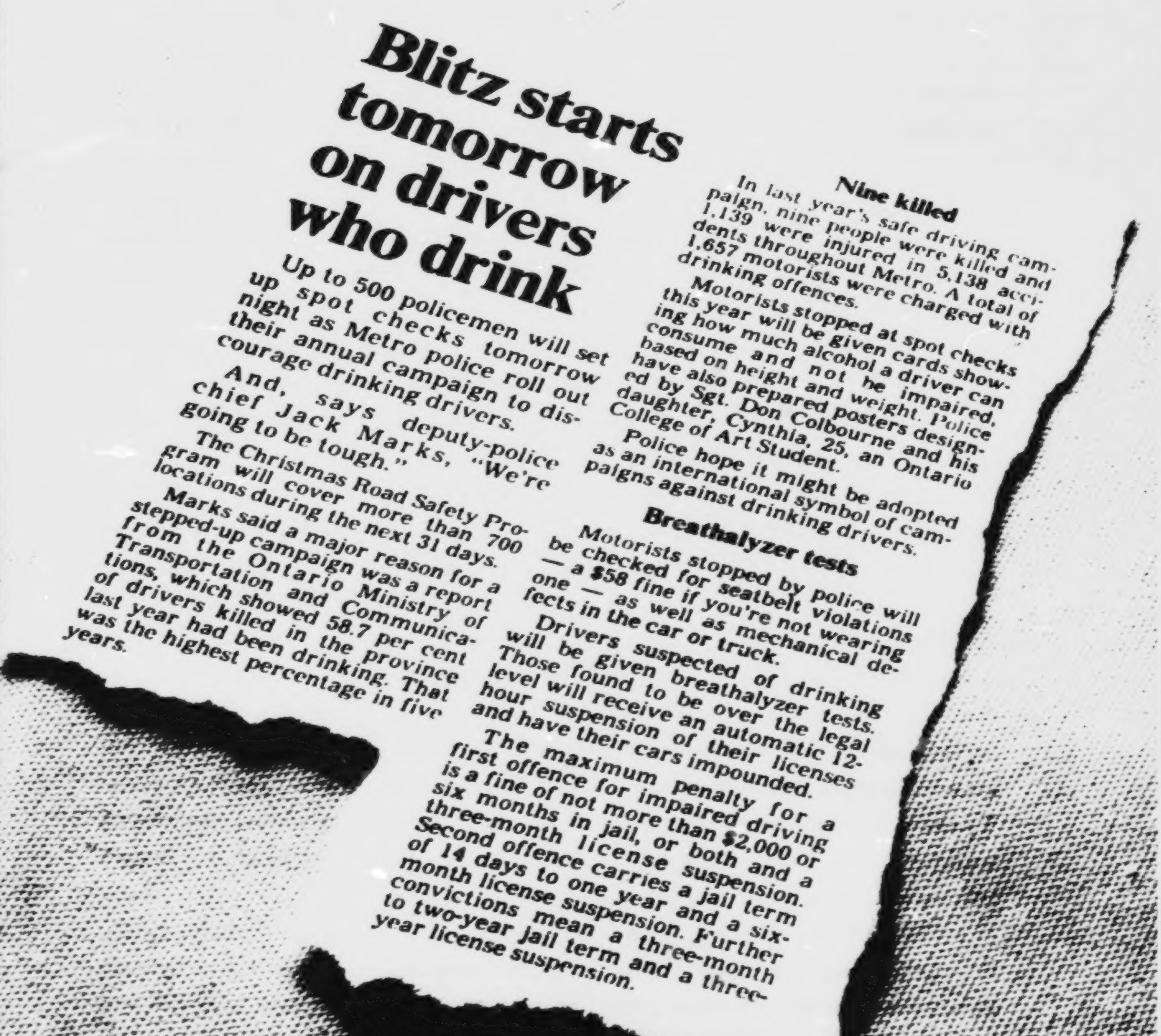
3) There are approximately 45 clients per year for six weekly, two-hour sessions.

4) There is a minimal cost.

5) Follow-up includes referral to other alcohol programs, treatment centres or A.A.

There are similar programs operating in Mimico, Thornhill, Scarborough West, Thunder Bay, and Kingston.

Enforcement



Blitz starts tomorrow on drivers who drink

Up to 500 policemen will set up spot checks tomorrow night as Metro police roll out their annual campaign to discourage drinking drivers.

And, says deputy-police chief Jack Marks, "We're going to be tough."

The Christmas Road Safety Program will cover more than 700 locations during the next 31 days.

Marks said a major reason for a stepped-up campaign was a report from the Ontario Ministry of Transportation and Communications, which showed 58.7 per cent of drivers killed in the province last year had been drinking. That was the highest percentage in five years.

Nine killed

In last year's safe driving campaign, nine people were killed and 1,139 were injured in 5,138 accidents throughout Metro. A total of 1,657 motorists were charged with drinking offences.

Motorists stopped at spot checks this year will be given cards showing how much alcohol a driver can consume and not he impaired, based on height and weight. Police have also prepared posters designed by Sgt. Don Colbourne and his daughter, Cynthia, 25, an Ontario College of Art Student.

Police hope it might be adopted as an international symbol of campaigns against drinking drivers.

Breathalyzer tests

Motorists stopped by police will be checked for seatbelt violations — a $58 fine if you're not wearing one — as well as mechanical defects in the car or truck.

Drivers suspected of drinking will be given breathalyzer tests. Those found to be over the legal level will receive an automatic 12-hour suspension of their licenses and have their cars impounded.

The maximum penalty for a first offence for impaired driving is a fine of not more than $2,000 or six months in jail, or both and a three-month license suspension. Second offence carries a jail term of 14 days to one year and a six-month license suspension. Further convictions mean a three-month to two-year jail term and a three-year license suspension.

Reprinted with permission
The Toronto Star Syndicate

ENFORCEMENT

The single most sweeping effort to combat drinking-driving in Canada came in 1969 with the Criminal Code amendments setting the maximum legal BAC of alcohol impairment at 80 mg% and providing for the demand of a breath test.

The most significant tools for enforcement of that law came in 1954 with the introduction of the Borkenstein Breathalyzer* and, in the early 1970s, with the ALERT roadside screening device.

Police, who had been forced to try to obtain blood samples or make a subjective appraisal of sobriety, were given the means to rapidly obtain a BAC by means of a breath sample for use as court evidence.

While the number of charges, arrests and convictions rose measurably, this most significant legislative change appears to have had no lasting effect on alcohol-related deaths and injuries.

Why?

Public Attitudes

The task force working committee believes that at the time this law was implemented society's attitude was one of tolerance, if not sympathy, for the person charged. This attitude translated into our classifying the offence as minor. We relied on the courts judging us with lenience and we knew that chances of apprehension and ultimate conviction were low. With those things in mind, a "take-a-chance" attitude prevailed.

Hopefully -- and signs point to it being the case -- that attitude has taken a significant swing as witnessed by the growing support for groups such as PRIDE and the increased interest of the Medical Associations in drinking-driving.

---

* NOTE: Named after its inventor, Robert Borkenstein.

However, until we are confident that a permanent attitude change has been realized, we must look to enforcement as one of the greatest tools in preventing alcohol-related accidents -- at least in the short term.

Police Resources

With approximately six million licensed drivers in Ontario, the task of enforcement is immense. While the driving population continues to grow, human resources (police) and financial resources (for equipment such as breath testers) remain too sparse to maintain the high-visibility, watch-dog approach needed on our roads and highways.

In 1982, in Ontario, 50,243 persons were asked to submit to a Breathalyzer test. A total of 41,055 drinking and driving charges were laid as a result and another 4,910 for refusing to take the test.

All this was done with available resources: 271 Breathalyzer units in the entire province at 141 Ontario Provincial Police detachments, 68 municipal police forces and five Canadian Forces bases.

Among major police forces without the roadside ALERT machines were Ottawa, Brockville, Peterborough, Sault Ste. Marie, Timmins, Cornwall, Brantford, Sarnia and St. Thomas.

In Metropolitan Toronto alone, where the police force has 30 ALERTS and 20 Breathalyzers, more than 195,000 vehicles were stopped in roadside checks, with a total of 5,841 ALERT tests conducted and 8,936 Breathalyzer tests.

It isn't difficult to imagine the probable increase in impaired driving arrests if roadside breath testers and Breathalyzers were more readily available across the province. Ideally, less and less people would be charged as a result of these tests because fewer drinking drivers would exist. In the meantime, however, each arrest offers the ultimate deterrent to a possible accident further down the road.

Ontario's 12-hour licence suspension system at 50 mg% is also believed to have been useful although its deterrent effects are anticipated to be measurably more significant if the system is publicized more. (ARF, 1982)

The system allows police officers to suspend for 12 hours the licence of any driver who registers in excess of 50 mg% on a roadside breath screening device which is the main tool of RIDE programs.

Legislators and law enforcement officers themselves point to the RIDE programs as highly-visible, accepted and positive deterrents to drinking and driving. Last Christmas' reduced arrest rate for impaired driving in Toronto was particularly encouraging. With almost 5,500 more vehicles stopped in December, 1982, over December, 1981 and almost double the number of ALERT tests requested, Metro police laid only 243 drinking-related charges - a total of 122 fewer than in 1981.

The Issue of Detection

The universal problem with enforcement as a sole deterrent, however, is the fact -- clearly evident to the public -- that the risk of apprehension and detection remains low. Borkenstein has estimated only one of 2,000 offenders is ever detected and charged. He also theorized that for every two drivers a police officer may arrest each year for drinking-driving offences, he does not charge 75 to 100 more he suspects may be over the legal limit.*

The relatively small number of Ontario drivers charged with drinking-driving offences (less than one per cent per year) can be explained primarily by the fact that there are not sufficient numbers of police or breath-testing equipment to ensure the detection of more impaired drivers.

Why aren't more drivers breath tested?

(i) Are the effects of alcohol so difficult to detect at relatively low levels that officers legitimately do not suspect a large number of impaired drivers?

---

* NOTE: As enforcement increases, so does the inevitable inconvenience to law-abiding citizens. While a solution does not make itself readily evident, legislators and police - intent and dependent on garnering public support for such programs - should keep this inconvenience factor in mind.

(ii) Is there a significantly large number of officers who are unwilling to breath test drivers they suspect may be over the legal limit but also appear to have a firm control over their vehicle?

(iii) Is there a significantly large number of officers who simply do not support the existing laws against impaired driving?

(iv) Does the amount of time required to process a drinking-driving charge act as a deterrent to the laying of charges?

(v) Is the apprehension of drunk drivers a source of sufficient concern in Ontario's police forces, many of which are already overburdened or under-staffed?

(vi) Is concern about drinking and driving emphasized sufficiently during police training?

(vii) Do officers get the training needed to improve their appreciation of the problem as well as their capabilities in spotting the drinking driver?

Police Attitudes

The Addiction Research Foundation recently completed a survey of police attitudes toward drinking and driving which showed 23 per cent attributed their background in drinking-driving education solely to experience.

Thirteen per cent pointed to basic recruit training as their only source of education, 15 per cent said they were operating with basic training plus experience, only seven had breath-testing experience or training and another five per cent said they had received no education or training in the area of drinking and driving.

The survey also revealed that, on average, officers were required to fill out 11 forms and Breathalyzer operators another three forms for each drinking-driving charge processed. Processing time averaged over two hours.

In an effort to determine the emphasis placed on drinking-driving offences, both administrators and uniformed officers were asked to list 15 offences in order of priority with the following median results :

	Administrator		Uniformed Officer
1)	Murder	1)	Murder
2)	Rape	2)	Rape
3)	Kidnapping	3)	Robbery
4)	Robbery	4)	Kidnapping
5)	Breaking and Entering	5)	Breaking and Entering
6)	Arson	6)	Arson
7)	Assault	7)	Assault
8)	Driving while impaired by alcohol	8)	Driving while impaired by alcohol
9)	Leaving scene of accident	9)	Receiving stolen goods
10)	Careless driving	10)	Forgery
11)	Forgery	11)	Careless driving
12)	Possession of marijuana	12)	Possession of marijuana
13)	Speeding	13)	Speeding
14)	Drinking under legal age	14)	Drinking under legal age
15)	Failing to wear a seatbelt.	15)	Failing to wear a seatbelt.

In listing factors, beyond court-related issues, which inhibit an increase in the arrest rate for drinking drivers, uniformed officers responded :

1) Inadequate manpower

2) Time-consuming arrest

3) An arrest may deprive an individual of his/her livelihood

4) Morale and attitude problems

5) Empathy with driver

6) Travel distance for breath testing

7) Arrested drivers are more difficult to handle due to their intoxication level

8) Other
    - unavailable breath technicians, units and roadside breath testers
    - importance placed on other traffic violations and duties
    - officers lack motivation to enforce drinking-driving laws (not a priority)
    - amount of paperwork required.

Summary

In its 1978 study of international anti-drinking-driving efforts, the Organization for Economic Co-operation and Development concluded: "In general, the effect of enforcement will benefit from a simple and fast method of determining BAC and greater powers to the police in detecting the drinking driver.

"A current hypothesis is that legislation is most effective as a general deterrent in encouraging drivers not to drive after drinking. To this end, the drinking-driver must be led to believe that his chances of being detected and charged with impaired driving are high." (p.83)

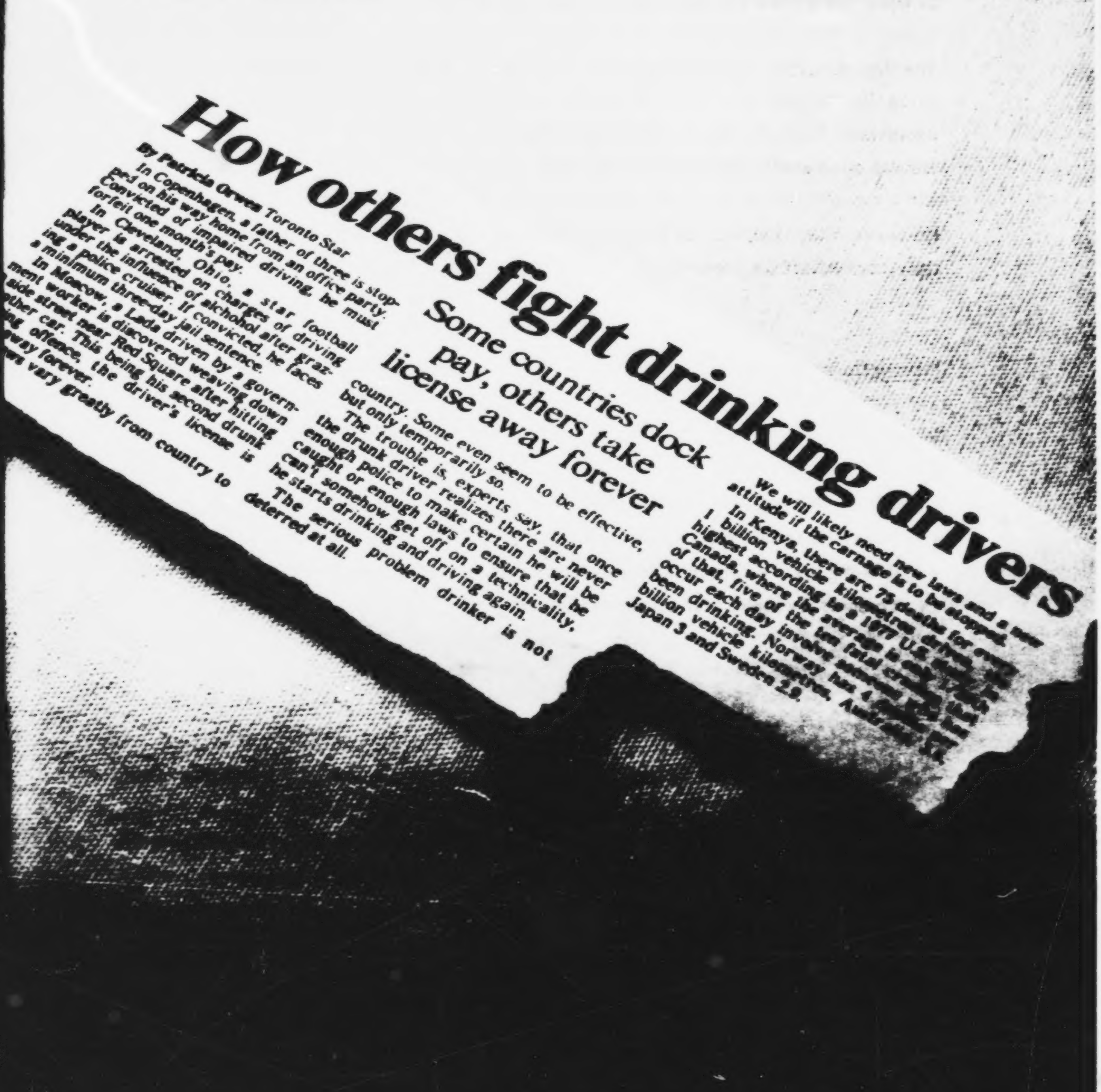
Increased levels of enforcement -- or, at least, public perception of increased chances of detection -- appear to be an integral part of any successful attempt to curb this behavior, certainly in the short term as proven by various police blitzes.

A recent study by two Transport Canada safety staff of international enforcement efforts concluded that enforcement could be more effective if highly-publicized, nighttime breath testing blitzes used a method of unpredictable times and locations. The study also recommended the blitzes be conducted periodically (i.e. every three months) for one week at a time. (Improving the Effectiveness of DWI Enforcement Through Increased Efficiency, 1983, p.1)

However, the OECD did offer one caution to those looking at enforcement as the most viable option :

> "One method of influencing risk perception would be to increase enforcement levels. If enforcement is used indiscriminately, however, an increase in the number of drunken driving cases may subsequently lead to an overloading of the judicial system. Enforcement must be examined closely, therefore, to determine the optimum level at which drivers perceive a change in the risks of detection." (p.83)

Legislative Drinking-Driving Countermeasures



How others fight drinking drivers

Some countries dock pay, others take license away forever

By Patricia Orwen Toronto Star

In Copenhagen, a father of three is stopped on his way home from an office party. Convicted of impaired driving, he must forfeit one month's pay.

In Cleveland, Ohio, a star football player is arrested on charges of driving under the influence of alchohol after grazing a police cruiser. If convicted, he faces a minimum three-day jail sentence.

In Moscow, a Lada driven by a government worker is discovered weaving down side street near Red Square after hitting other car. This being his second drunk ing offence, the driver's license is way forever.

ws vary greatly from country to country. Some even seem to be effective, but only temporarily so.

The trouble is, experts say, that once the drunk driver realizes there are never enough police to make certain he will be caught or enough laws to ensure that he can't somehow get off on a technicality, he starts drinking and driving again.

The serious problem drinker is not deterred at all.

We will likely need new laws and a new attitude if the carnage is to be stopped.

In Kenya, there are 75 deaths for every 1 billion vehicle kilometres driven, the highest according to a 1977 U.S. [illegible] Canada, where the average is [illegible] of that, five of the ten fatal crashes [illegible] occur each day involve [illegible] been drinking. Norway has 4 [illegible] billion vehicle kilometres, Australia [illegible] Japan 3 and Sweden 2.9.

LEGISLATIVE DRINKING-DRIVING COUNTERMEASURES

There are lessons to be learned from other jurisdictions but to believe that any one of them has solved the drinking-driving problem is to believe in myth.

The Scandinavian countries are often held up as models in the field because of their early institution of restricted BAC levels, roadside sobriety tests and severe penalties. Time, however, has proven these programs no more effective than other efforts tried elsewhere in deterring either the young or the problem drinker.

However, their value in deterring the so-called "social" drinker, even for a limited time, should not be overlooked.

International Legislation

Sweden

- 50 -- 149 mg% -- illegal level
- heavy fine plus licence suspension
- 150 mg% + -- one-month mandatory jail term plus one-year licence suspension
- compulsory blood test at certain levels

Finland

- "driving drunk or under the influence" used as determination of charges rather than the per se (BAC) restrictions of other countries
- first conviction carries maximum four-year sentence with average sentence being three to six months ; also two-to-three-year licence suspension
- eight-year maximum sentence for accident resulting in death
- 2nd offence -- permanent revocation of driving licence

Norway

- 50 mg% -- illegal level

- imprisonment and prompt administrative action to suspend licence is routine
- mandatory blood tests

However, as Ross points out, alcohol-related fatalities have continued to rise for most of the period these laws have been in place while the actual risk of apprehension remains low.

Ross also questions the laws themselves: "I would also argue that imprisonment of thousands of people for many weeks on the basis of a scientifically unfounded belief in the necessity of such punishment should be considered dubious social policy and that controlled social experimentation would be possible with regard to this question. That the politics of the northern countries preclude such experimentation strikes me as most unfortunate."

While Ross refers to these governments as being complacent in terms of further drinking-driving countermeasures, Dr. Hans Klette, law professor and assistant judge in Sweden, told a November, 1982, conference on alcohol and driving his country recognizes that it still has a serious impaired driving problem with young persons aged 18 to 24 as well as with problem drinkers. Sweden, he said, is considering lowering the BAC limit to 30 mg% to combat the problem.

England

- 80 mg% -- illegal level
- mandatory breath, blood and urine samples
- conviction results in fines and mandatory one-year licence suspension

While this 1967 legislation was an effective deterrent initially, the effect dissipated within a few years. Ross suggests its apparent lack of success -- certainly in the long-run -- was based on motorists' justified belief that the risk of apprehension was low. He estimates the chances of being tested are one in a million miles driven.

France

- 80 mg% -- illegal level
- mandatory blood tests upon police request
- breath test failure can result in on-the-spot order to cease driving
- licence can be revoked -- as opposed to suspended -- upon conviction

Again, despite 1978 legislation allowing breath testing of all drivers passing through designated roadblocks, Ross concludes the scarcity of these roadblocks reinforced public perception of a minimal chance of detection and punishment.

Czechoslovakia

- forbids alcohol consumption at any level by all drivers
- statistics not available for analysis

The Netherlands

- 50 mg% -- illegal level
- eight-hour licence suspensions at discretion of police
- mandatory breath, blood or urine samples
- maximum three-month sentence for driving with a BAC in excess of 50 mg%
- maximum two-year jail term for a drinking-driving accident causing serious bodily injury
- licence suspension for a maximum of five years for first offence (usually six to nine months) ; up to 10 years in a case of recidivism
- monetary penalties as well (up to $2,000 U.S.) depending on level of intoxication (200 mg% results in an unconditional two-week term of imprisonment and an unconditional one-year licence suspension)

Australia

State of Victoria : 50 mg% -- illegal level
All other states : moving to 50 mg% from current 80 mg%

- blood samples mandatory in Victoria and two other states

Ross notes that there are no satisfactory studies relating to the deterrent effect of Australian drinking and driving laws but says penalties appear to be moderately low.

New Zealand

- 100 mg% -- illegal level
- failure of breath screening test results in second test 20 minutes later
- failure of this test requires mandatory blood sample
- penalties for failure include minimum six-month licence suspension as well as fines and possible imprisonment
- typical sentences since these 1969 laws were introduced are fines between $50 and $400 and licence suspensions of 12 months

Ross concludes that New Zealand's drinking and driving law had an immediate but not lasting effect on drinking-driving practices.

United States

Driver licensing as well as laws relating to drinking and driving are within the authority of each state.

All states prohibit driving while under the influence of alcohol or drugs (also described as impaired driving or driving while intoxicated or DWI). A blood-alcohol concentration is specified in the laws of all states, usually leading to a presumption of impairment but in several states (e.g. California, Illinois, New York, Pennsylvania) it is an offence in itself (per se) to drive with a BAC over certain limits.

The limit is 100 mg% in all states except Utah and Idaho where it is 80 mg% and Iowa where it is 130 mg%. Virtually all states require a driver to submit to chemical testing for alcohol in blood, breath or urine with the penalty for refusal usually being the loss of a driver's licence under the doctrine of implied consent. This means a driver must consent to blood alcohol testing at police request after arrest as a condition of receiving a state driver's licence.

In a few states (e.g. California, Alaska, Colorado, Georgia) a mandatory jail sentence or community service order is decreed for a first offence, while others (e.g. Nevada, Massachusetts) prescribe it only for second or subsequent offences. In California, the law requires a minimum two-day jail term and a minimum $375 fine for a first offence or a 90-day licence suspension and probation.

Licence suspension is generally mandatory in most states for first offenders (the period ranging from 30 days to three years) but in some states (e.g. Missouri) only for second and subsequent offences.

Some American police use a road-side screening device (ALERT or other) for a preliminary breath test (PBT) although drivers are not obligated to take it. However, if a driver fails the PBT, an evidential breath or blood test must be taken to determine the BAC for court purposes. If a police officer feels there is enough other evidence to warrant an arrest for DWI, the driver falls under the implied consent law and must undergo a BAC test or lose his/her licence.

Roadblocks and spotchecks are not as extensive in the United States as in Scandinavia, England and Canada. Some U.S. lawyers maintain roadblocks are a Constitutional violation of the Fourth Amendment prohibiting unreasonable search and seizure. (The issue is still unresolved.)

A few states such as Minnesota and West Virginia have developed a system of driver's licence suspension which permits the driver licensing authority to revoke or suspend a driver's licence administratively without any court proceedings. This system does not replace court proceedings which, if instituted, carry on during the administrative suspension. The licensing authority is required to automatically and immediately suspend the driver's licence of any person who is arrested for DWI and registers a BAC over the legal limit or who refuses to submit to chemical testing.

In Minnesota, a driver with a BAC of 100 mg% must surrender his or her licence to the arresting officer and is given a driving permit valid for seven days. Following the seven-day grace period, the driver's licence is suspended for 90 days although there is provision for the driver to ask for an administrative or judicial review. The Minnesota experience has shown few such requests being made. It is interesting to note that pleading guilty to DWI in Minnesota can sometimes result in a less lengthy licence suspension than under the administrative procedure and many accused plead guilty for that reason.

On the rehabilitation side, most states have mandatory programs in which convicted drinking drivers attend traffic safety or alcohol abuse classes or obtain medical treatment for alcoholism under court supervision. Where possible, these programs must be paid for by the offender. The problem of funding alcohol and driving enforcement, educative, and rehabilitative programs is being tackled by groups lobbying for legislation for a special tax on alcohol purchases.

Public interest in the problem of drinking and driving is currently high in the United States, particularly with the establishment of the President's Commission on Drunk Driving last year. Several states have launched drinking and driving task forces of their own and a dozen or more have already raised the minimum legal drinking age to 21. Citizen groups such as M.A.D.D. (Mothers Against Drunk Drivers) are extremely successful in pressuring legislators, educators and law enforcement officials to activate drinking-driving programs. However, there is inertia in the development and implementation of technology to prevent drinking drivers from operating their motor vehicles. Development and installation of devices such as air bags to protect vehicle occupants has not yet been caught up in the current wave of citizen enthusiasm and motor vehicle manufacturers appear unwilling to do anything without public pressure.

In the last year, several states have taken initiatives with drinking driving. Among them :

NEW JERSEY :

- legal drinking age raised to 21 from 19 with exceptions for those aged 19 or 20 as of January 1, 1983
- testing of blood and urine permissable
- on-the-spot licence suspension if person has a record of drunken driving

-- 1st offence -- mandatory $1,500 fine
2nd offence -- mandatory $3,500+ fine
2nd offence plus refusal to provide a breath sample -- two-year licence suspension
3rd offence -- $3,500+ fine
3rd offence plus refusal to provide a breath sample -- 10-year licence suspension *

NEVADA:

-- mandatory two-day jail term for first offence
-- on-the-spot licence suspension of intoxicated drivers

LOUISIANNA:

1st offence -- $125 - $500 fine
-- up to 10 days in jail
-- can receive fine, two-day sentence plus participation in an alcohol/driver education program
-- can receive fine, participation in the program plus four-day community service order

2nd offence -- $300 - $500 fine
-- 30 days-six months mandatory jail term
-- jail sentence may be reduced to 15 days plus participation in the program
-- or, 30 eight-hour days of community service plus participation in the program

3rd offence -- up to $1,000 fine
-- one-to-five year mandatory prison term
-- six months of sentence must be served without probation, parole or suspension of sentence

---

* NOTE: It is not possible at this time to determine whether these suspensions will prove enforceable.

In Kentucky, community service orders force convicted drinking drivers to assist police and transportation crews in the cleanup of drinking-driving collisions. However, as of late 1982, the deterrent impact of this alternative sentencing had not been determined.

Pennsylvania has established 48-hour, 30-day or 90-day jail sentences for first, second or third offences while Ohio law provides for mandatory three, 10- and 30-day jail sentences for first, second and third offences respectively. The law, passed in 1982, also demands a $75 licence reinstatement fee to fund driver education and intervention programs.

INCREASED PENALTIES

A strong, grassroots support for the concept of more severe sentences for drinking-driving offences is increasingly apparent in communities across Ontario -- reflected in activities of organized citizen groups as well as local media.

This stance is the same espoused by many researchers until the early to mid-1970s. Similar to pro-capital punishment arguments, the belief that harsh recriminations would result in an increased deterrent level maintained its support for several decades.

Now, however, much of the research community has modified its views substantially.

Effects of Increased Penalities

Ross points out in his book Deterring The Drinking Driver, it is, "very likely (that) existing levels of severity should not be increased . . . Recourse to heavy fines and mandatory jail sentences seems likely to encourage deformations in the legal system, such as police leniency or even corruption, plea bargaining, and increased findings of not guilty. These adjustments may have the unintended effect of reducing the certainty of punishment and diminishing rather than increasing the total deterrent effect of the law."

Similarly, Dr. Evelyn Vingilis, senior scientist at the Addiction Research Foundation, concludes in a brief prepared for Ontario's Ministry of Health, 1982 :

"Most approaches to date have been simplistic and piecemeal, and have not taken into account the motivational processes and complexities inherent in the drinking-driving problem. When one tackles only one aspect of the system, typically, the other pieces will shift and counterbalance so that the status quo remains."

The National Highway Traffic Safety Administration notes that in American efforts to impose severe penalties, the following patterns revealed themselves :

"Prosecutors were :

- (a) required to spend more time in preparing and presenting case
- (b) more likely to accept plea bargaining

Courts were :

- (a) more likely to have large backlogs
- (b) more likely to accept plea bargaining
- (c) less likely to convict
- (d) less likely to impose sentence even if mandatory

Defendants were :

- (a) more likely to plead innocent
- (b) more likely to hire lawyers
- (c) more likely to demand jury trials

Police Officers were :

- (a) less likely to arrest
- (b) required to put more time in preparing case and appearing in court."

Toward Alternative Solutions

Concern regarding these single-facet (i.e. legal) solutions is also reflected in the Traffic Injury Research Foundation's 1982 paper, Alcohol and Traffic Safety : Strategies and Priorities for the Future, Final Report. Here the Foundation lists cautions expressed by various American and Canadian experts.

"No one doubts . . . the seriousness of the alcohol (crash) problem, and yet no one really has the faintest idea what to do about it in societies where alcohol consumption is usual." (Haight, 1980, p.57)

"It appears that there is little evidence to support the belief that severe penalties, per se, will deter the majority of potential drinking drivers." (Koza, 1976, p.6)

"Serious questions must be addressed about the viability of existing efforts (as a whole) to produce a sustained reduction in the magnitude of the problem. In short, is there any assurance that if present efforts were expanded considerably, that there would be a noticeable improvement?" (Warren et al, 1980)

"If my definition of the problem is accepted, and deterrence and other approaches to affecting driver behavior turn out to be either ineffective or intolerably costly in the long run, I believe we can follow Joseph Little's policy alternative: 'to forget about more severe laws and work for a safer environment for drunks to drive in -- sturdier cars, safe highways.'" (Ross, 1981, p.99)

"The greatest risk-takers (those most likely to be involved in crashes) may be the ones least likely to be deterred." (TIRF, 1982, p.149)

"The deterrent effectiveness of legal controls is likely to be minimal for a group that does not understand and therefore does not desire those protections." (Koza, 1976, p.8)

Based on findings from the international drinking-driving research community, "programmes based on severe penalties have not been shown to be effective over the long term in any jurisdiction and have not been found to be workable in the U.S." (Vingilis brief, 1982, p.2-10)

While the emotional desire for stiffer penalties is understandable, the last 20 years of research across North America, Europe and Australia point us away from such a move as a single effort aimed at the drinking-driving problem.

In fact, it can be argued that many of the sentences being sought by various citizen groups are already permitted by Canada's Criminal Code - although the severity of penalties imposed by the courts is open to dispute.

In implementing new levels of punishment, the accompanying need for stepped-up enforcement should not be forgotten. Detection rates must be high enough to demonstrate probability of apprehension and arrest if increased penalties are to serve their primary function of deterrence rather than their secondary, after-the-fact role.

Some of the alternatives to an across-the-board implementation of increased penalties are :

(i) mandatory jail terms for any impaired conviction

(ii) mandatory jail terms for impaired convictions involving personal injury or death

(iii) mandatory jail terms for repeat offenders

(iv) community service orders

(v) immediate suspension of driver's licence at the time charge is laid

(vi) longer licence suspensions

(vii) revocation of driver's licence

(viii) impounding of motor vehicles

(ix) financial incentives for not driving after drinking, e.g. reduced insurance rates, lower licence fees

Suspension/Permanent Revocation of Licence

PROS : (1) shows the seriousness with which the offence is regarded

(2) if enforced, will prevent opportunity arising for offender to recommit the offence

(3) reinforces that a driving licence is a privilege, not a right

(4) stands as an effort to make the roads safer

(5) could act as both a specific and general deterrent

(6) "hurts" the offender by depriving him or her of the main source transportation in modern society

(7) administrative suspensions are swift without involving traditional court procedures

CONS: (1) difficult -- if not virtually impossible -- to enforce for the majority of convicted drivers

(2) length of suspension that is appropriate without being counterproductive has not been determined scientifically

(3) could adversely affect dependants

(4) could lead to job loss, family troubles, etc.

U.S. studies on the effectiveness of licence suspension are equivocal.

Hagen (1977) found better accident and DWI recidivism records for multiple drinking-driving offenders who had received a licence suspension of one to three years plus a jail term and/or fines than offenders who received only the jail and/or fine.

A 1980 study (Hagen, McConnell and Williams) also found second offenders who received a one-year suspension had fewer accidents and subsequent drinking-driving convictions than first offenders who were not suspended.

While Hagen (1977) found that an improved driving performance continued at least 2 1/2 years after a one-year licence suspension, Finkelstein and McGuire's 1971 study had found an increase in conviction and accident rates for second and third drinking-driving offenders.

"There are two possible reasons for the positive effect of licence revocation (suspension)," concludes the 1980 Hagen, McConnell and Williams study. "During the period of (suspension), there may be reduced driving exposure or individuals may continue to drive but may be more cautious . . .

"The present data are consistent with the possibility that the revoked subjects continued to drive during the revocation but may have driven more cautiously . . . This increased caution in driving seems not to have influenced the likelihood of driving after drinking, however."

The obvious problem associated with licence suspension and revocation is the difficulty in enforcement. As Metropolitan Toronto Police estimate, approximately 40,000 persons drive through that city each day with their licence under suspension. Unless an accident occurs or the person is stopped for a routine police check, enforcement is not possible.

Photo Licences

The lack of photo licences in Ontario is another argument made against the suitability of increased licence suspension for the province's drivers since it can be a simple task to borrow or use another driver's licence. The licences, of course, could be introduced (at a cost of approximately $3.6 million) to facilitate this enforcement.*

Penalties and Enforcement

On the subject of increased fines and mandatory jail terms, the 1978 state-of-the-art report by the Organization for Economic Co-operation and Development, concluded:

"In the realization that only a small percentage of the driving population is convicted of drinking driving offences (note: approximately one per cent per year), it seems unlikely that the penalizing of offenders in itself will greatly reduce the magnitude of the overall drinking-driving problem, unless the detection rates are greatly improved."

---

* NOTE: See page 91 for additional information.

The OECD report makes the following three points against increasingly severe legislation :

(a) moderate, rather than heavy drinkers, are more affected

(b) only short-term changes occur in drinking driving behavior

(c) these sanctions have no effect on the drinking patterns (problems) of convicted offenders.

Emphasizing the futility of stiffer penalties without increased enforcement, the OECD said : "It is possible that the deterrent effect of legislation may lie only in the driver's subjective evaluation of his chances of being detected, charged and convicted. There is, however, little information to suggest how apprehension might be increased or for that matter maintained at that level usually experienced at the introduction of new legislation."

In 1978, Ralph Jones and Kent Joscelyn produced the major U.S. study, Alcohol and Highway Safety 1978 : A Review of the State of Knowledge. As the first major review in more than a decade, the study dealt with increased severity in penalties only with the needed backup of stepped-up detection :

"Revision of past legal hypotheses on deterrence of drinking drivers is clearly in order, given the results of the programs that have attempted to apply the hypotheses. Further, in view of the relative insensitivity of alcohol-related crash losses to past levels of legal approach activity, it appears that rather substantial revisions may be required, for example, increasing apprehension rates by a factor of 10 or more. Finding practical ways of achieving these large changes without violating fundamental human rights and without offending citizens will obviously be a great challenge to researchers and program designers." (p.182)

U.S. Presidential Commission on Drunk Driving

Still, there is visible support for a major "crackdown" on drinking drivers as witnessed by the initial recommendations made by the Presidential Commission on Drunk Driving in December, 1982 :

(i) prompt licence suspension for those found with BACs in excess of 100 mg%

(ii) any person convicted of driving under the influence be required to pay restitution

(iii) states should enact legislation requiring a mandatory jail sentence of at least 30 days for persons driving with a suspended or revoked licence

(iv) a 48-hour mandatory jail sentence or community service order and minimum 90-day licence suspension should be imposed for a first offence

(v) substantial minimum fines should be established

(vi) where death or serious bodily injury to others as a result of driving under the influence occurs, it should be classified as a felony (the equivalent of an indictable Criminal Code offence in Canada)

(vii) rehabilitation and education programs for convicted drivers should be a supplement to other penalties, not a replacement. (The commission recommends 48 hours in jail or 90 day licence suspension plus 100 hours community service for first offenders.)

(viii) implied consent statute be established so that drivers, upon receipt of their licence, are deemed to have given their consent to blood, breath or urine testing to determine alcohol or drug concentration.

Summary of Pros and Cons of Increased Severity of Penalties

In 1974, the Ontario government produced an interministerial committee report on drinking and driving which gave an overview of alternatives to existing drinking and driving laws. Little has occurred to question those alternatives except two distinct changes in social and research attitudes : 1) citizen groups, the media and many politicians are pushing for more severe penalties and 2) research scientists are more convinced than ever that no single effort -- such as legal sanctions -- will rid us of the drinking-driving problem.

One of the task force's endeavors is to consider the long-term ramifications of any legislative change -- social, legal or attitudinal -- as well as the short-term benefits possible through such change.

As researchers point out, one of the difficulties in the past has been a lack of public support for a tough anti-drinking-driving stance by government because of the prevailing, "there but for the grace of God . . . " attitude.

With obvious signs that support for such an attitude is waning, government is faced with the dilemma of satisfying emotional appeals for a more acceptable rendering of justice while taking into account the stance of experts who, after decades of research, point to a long-term, community-based effort as the bright hope of the 1980s for laying the problem to rest.

As in a decision regarding the drinking age, short-term and long-term benefits must be weighed side by side. Legislators are expected to arrive at a course of action that not only actively combats the problem but also ensures the public support needed to make any new program or policy work.

"The major stumbling block to any change in the present extent to which people drink before driving . . . lies in prevailing social attitudes . . . any general change in drinking and driving practices will have to be preceded by a change in the social attitudes which foster them." (Henderson and Freedman, 1977, p.633)

"Once again, the problem of identifying, isolating and 'treating' the small minority of drivers/driving trips behaviors (those most responsible for damage) without unduly 'inconveniencing' or unjustifiably punishing the vast majority is a complex and arduous task." (Alberta Workshop, 1982, p.48)

"The alcohol-crash problem may have logical solutions, but can all the disparate elements of society ever be persuaded to accept them?" (Alberta Workshop, 1982, p.49)

The Alberta Workshop summary of discussion quoted above says that society's options for solving the problem consist of :

(i) those that are likely to be "societally acceptable" but unlikely to work (i.e. result in a meaningful and sustained reduction in the magnitude of the alcohol-crash problem) ; or

(ii) those that are likely to result in a meaningful reduction in the magnitude of the problem but are unlikely to be "societally acceptable".

The unacceptable could range from a ban on drinking to penalties and enforcement so severe that one drink and one car ride represented a likely risk of incarceration or bankruptcy.

The acceptable -- but ineffective -- consist of virtually "all other proposals," according to the Workshop proceedings.

Fortunately, however, society tends not to limit itself to such black and white solutions. Compromise, which can limit the effectiveness of a program, can also be its salvation.

In looking at the drinking-driving problem, compromise appears to be the only possible route toward a program of action that is acceptable -- societally, politically, practically.

Arguments for and against more severe sanctions, as outlined by the 1974 Ontario commission, are updated and summarized as follows :

Fines - Pros and Cons

OPTION : To institute a drastic increase in drinking-driving fines.

PROS : (1) acts as a public statement of the social/moral unacceptability of the drinking-driving practice

(2) could act as a tangible deterrent to a second offence by the convicted driver

(3) could act as a deterrent to society as a whole

(4) to some extent, would force courts to exhibit a tougher stance toward the problem than is perceived publicly at present

(5) partially reimburse society for the costs involved in apprehension, conviction, etc.

(6) could assist financially in education/ rehabilitation efforts

(7) would offer citizen groups a show of support and encourage them to sustain their efforts

(8) could keep up with inflation

CONS: (1) would excessively penalize persons with small incomes with less effect on those with higher incomes

(2) may adversely affect the dependents of convicted drivers

(3) no proven general deterrent effect to date

Still another option is to levy a fine based on an individual's income, dependents and/or the damage done at the time of impairment. While the administrative headaches inherent in such a system are obvious -- or perhaps ominous would be the better word -- it would solve the inequality aspect of fines and ensure that this sentencing option "hurt" the convicted driver as opposed to simply inconveniencing him or her.

At present, Ontario does not keep a statistical account of the fine, jail term or alternative sentencing imposed by the courts. Neither, it appears, do most other jurisdictions. A move to correct this situation, already under discussion in Ontario, will allow researchers the opportunity to assess how effective a given sentence appears to be in its own province, state or country. For the first time, we may be able to separate sentencing from other social pressures (publicity, enforcement) and attest scientifically to the pros and cons of sentence options.

"The general deterrent effects of penalties alone are difficult to identify, primarily because drinking behavior will also be influenced by level of enforcement and public education campaigns. Research suggests however that it may be effective in changing the drinking-driving patterns of moderate or social drinkers but not of the problem drinker." (OECD, 1978, p.81)

Mandatory Jail Terms - Pros and Cons

OPTION: To impose a mandatory jail term from first conviction on.

"We simply do not know at present what combinations of risk and penalties will achieve deterrence. I speculate, however, that people's behavior is relatively insensitive to changes in the seriousness of an adverse outcome that is viewed as very unlikely to occur. After all, those who currently drive drunk are not deterred by the small risk of a very severe penalty -- accidental death." (Reed, 1981)

PROS: (1) illustrates the seriousness with which the offence is regarded

(2) keeps a convicted driver off the road temporarily

(3) may have a deterrent effect on the individual as well as society as a whole

(4) makes drivers a captive audience for any education/rehabilitation programs deemed necessary

(5) offers support to citizen groups and encourages them to sustain their efforts

(6) to some extent, would force courts to exhibit a tougher stance toward the problem than is perceived publicly at present

CONS: (1) could strain already worrisome jail capacity

(2) creates added financial burden for individual and society

(3) could result in job loss, burden on dependents, family breakup, etc.; in turn this can lead to additional dependence on publicly-supported agencies and social assistance funds

(4) disregards research which can offer no assurance of deterrent effect

(5) brings law into question when other offences in which no one was hurt carry no mandatory jail terms

(6) may cause loss of support for overall program from people who cannot give such a law their moral support

(7) shows no discrimination of drinking-driving offences in which no one or thing was harmed as compared to injury or fatality inflicted

(8) could lead to fewer convictions if police, law and court officials do not support mandatory terms

(9) could lead to fewer charges being laid by police

(10) was part of Canadian law until 1969 when it was rescinded due to lack of acceptance

DRINKING AGE

Background

In the 1960s, a movement to bring 18-year-olds into the "mainstream" of society was evident across North America.

With U.S. involvement -- the draft, in particular -- in the Vietnam war, a not-unexpected cry went up that "if I'm old enough to fight for my country and old enough to vote, I'm old enough to drink."

By the early 1970s, the 10 Canadian provinces and 25 American states had enacted legislation to lower the drinking age to the 18 or 19-year-old level.

Since then, however, more than a dozen states as well as Saskatchewan and Ontario have raised the drinking age.

The Ontario government was responding to conclusions by its own commissioned study* as well as those of outside groups that the lowered drinking age was having a negative effect on young people.

In an effort to remove alcohol from the hands of high school students, the age was raised to 19 in July, 1978.

Effects of Lowering and Raising the Drinking Age

Studies done in various jurisdictions on the effects of lowered and raised drinking ages were summarized in a 1982 Addiction Research Foundation study which concluded that, "lowering the drinking age tends to increase collision rates of young drivers." (Douglass et al., 1974 ; Smart and Goodstadt, 1977)

It stated further, "Raising the drinking age tends to decrease collision rates of young drivers (Wagenaar, 1981 ; Williams et al, 1981). It is estimated that about a

---

* NOTE: Ontario Youth Secretariat report, filed January 21, 1976.

28-per-cent reduction will occur in nighttime fatal crash involvement among drivers to whom the law applies (Williams et al, 1981)." (Note : In Ontario, in 1981, this would have saved approximately 22 lives in this age group.)

An earlier ARF study in 1973 had confirmed an increased accident involvement rate among 16-to-19-year-olds when the age was lowered and concluded in addition that "after the inception of the new act (the 1971 lowering of age), 18-to-21-year-olds increased their consumption, especially of beer, in public places. Apparently the former restrictions exerted a moderating influence with respect to alcohol use."

In the United States, studies have shown that "since the early 1970s there has been an increase of 28 per cent in the number of alcohol-related traffic crashes involving the under-20 driver."

Statistics

There are more statistics which, inescapably, lead one to question the advisability of combining an introduction to driving and drinking privileges within the three-year span of 16 to 19 years.

Consider these :

(i) In 1981, 48.2 per cent of drivers killed in Ontario traffic accidents were impaired by alcohol. An additional 10.5 per cent had been drinking. (MTC)

(ii) Approximately 125 drivers under 21 years of age are killed on Ontario roads each year and another 9,500 reported injured. (TIRF)

(iii) Traffic deaths account for almost half of all deaths among people aged 15 to 19. (TIRF)

(iv) While approximately one-quarter of all drinking drivers involved in Ontario accidents are under 21 years, this age group holds less than one-tenth of all Ontario drivers' licences. (MTC)

(v) Traffic accidents are the number one killer of persons under 30 in industrialized countries. (TIRF)

(vi) While drivers under 21 years of age account for 9.4 per cent of the total driver population, they account for approximately 18 per cent of all Ontario road accidents. (MTC)

(vii) Young persons (15 to 24) also account for nearly 40 per cent of all drivers killed each year in Canada. (TIRF)

What these statistics tell us is that young people, in terms of their population, are overrepresented in crashes -- and fatal crashes.

The Other Side of the Story

What's the other side of the story? Consider these facts:

(i) Among drinking drivers on the road, the least frequent are the young. (TIRF, 1981, p.46)

(ii) Young people account for a steadily decreasing proportion of the drinking drivers as the BAC increases. (The 1979 Ontario Roadside Survey showed that under-21 drivers accounted for about 18 per cent of all drivers on the road at night but only 10.2 per cent of the drinking drivers. However, the specific age groups of 19 and 20 year olds represented almost 10 per cent of drivers on the road but 14 per cent of the drinking drivers.)

(iii) All of the more carefully designed and conducted studies have found the youngest and the oldest crash-involved drivers less likely to have been drinking or legally drunk than crash-involved drivers as a whole. (Jones/Joscelyn, 1978, p.60)

(iv) The high relative risk of young drivers in fatal nighttime crashes is partially attributed to the fact that they drive more at night than do other drivers. (TIRF, 1981, p.47)

(v) The high relative risk of young drivers is not necessarily attributable to a single risk factor like alcohol* or exposure alone but rather is determined by a combination of these factors as well as several others such as inexperience and risk-taking.

In a paper for the Addiction Foundation in 1973, Schmidt and Kornaczewski concluded that the 21-year-old limit did appear to have had a moderating effect on youthful drinking habits but added a qualifier.

"There was also a distinct increase in the proportion of 16-to-19-year-old drivers among all drivers involved in accidents who reportedly had been drinking. However, on the basis of these data, it was not clear whether this increase was the result of an alteration in the enforcement practice or represented an addition to the total expected accident involvement of the age group."

In fact, research points to the 15-to-24-year-old age group, not the 15-to-19-year span, as the peak period in which motor vehicle crashes occur. While, as noted, traffic accidents account for almost half of all deaths among persons aged 15 to 19, they continue to account for a disproportionately large number of deaths for those aged 20 to 24 -- about one third. The significance of crashes in relation to deaths actually does not decline until beyond age 24.

Arguments For and Against Raising the Drinking Age:

PROS: 1. Fewer injuries and deaths in traffic accidents.

2. A public re-affirmation of government's concerns regarding drinking-driving.

---

* NOTE: While alcohol has been determined as a factor for consideration in an examination of all motor vehicle accidents, a causal relationship is difficult to establish in the presence of known and unknown factors which could include: weather, lighting, road conditions, driving experience, ability to react in an emergency, distractions, state of weariness, vehicle malfunction, etc.

"In fact, in-depth studies indicate that accidents due solely to alcohol are rare indeed." (Alberta Workshop, 1983, p.19)

3. Alleviation, to some extent, of the concerns of citizen groups such as PRIDE.

4. Alignment of Ontario with current legislative changes underway in the U.S.

5. Reflection of the government's response to the latest in scientific study of the problem.

6. Possible impact on the problem of affecting a fundamental attitude change toward drinking-driving practices.

7. Reduced access to alcohol in high schools.

8. Possible encouragement of courts to take a tougher stance, if needed.

CONS:

1. Reaction from young adults would be negative.

2. Alcohol-related industries (breweries, tavern-owners, etc.) would react negatively, resulting in possible lack of support for future anti-drinking-driving programs.

3. Possible creation of a negative view of government and law among upcoming adults.

4. Other methods -- education, communications, tougher court stance, etc. -- may prove as effective in the long-run, although as individual efforts they have not been successful in the past.

5. Government revenue loss.

6. Question of how much government can or should protect us from ourselves.

7. Question of broadening the gap, once again, between the age of majority (18) and the drinking age.

8. University student associations, many of which rely on pub profits, would be dealt a financial blow.

In recent discussions with task force members, the Hamilton Auto Club -- which supports raising the legal drinking age -- emphasized another aspect of the young driver problem : the fact that our youth are being asked to deal with two major learning experiences within a short period of time.

The club, which was appointed by the Solicitor-General's Ministry in 1980 to do a traffic safety study, maintains that if good drivers and responsible drinkers are to be produced, a longer learning gap is required between the two.

Al Oakie, the Club's Executive Director, pointed out that with the age at 19, inevitably the contact with alcohol will come even earlier. By legislating a gap of at least four to five years between the two privileges, he argues, we can be more optimistic that one activity (driving) will be acquired successfully before being complicated by the additional responsibilities of another (drinking).

MANDATORY JAIL TERMS/RAISING THE DRINKING AGE - BEYOND STATISTICS

Citizen Rights

These two issues are brought together for discussion because both involve a fundamental issue -- citizen rights. While both these options in the drinking-driving problem are often called "simplistic" by the research community, it is not possible -- or correct -- to ignore the concerns of those people who have been or will be affected directly by a drinking-driving collision.

These are the people who pay a personal price for such behavior, whether it be their own injury or the emotional toll of watching family or friends suffer for a drinking driver's actions.

Putting people in jail or taking away the right to drink causes some people to shudder at the continued interference of government in their lives. But for others -- the victims -- the question arises of whose rights dominate? Do they and all potential victims have the right to expect what they deem a reasonable punishment for the driver who hurt -- or permanently injured -- them or their families? Should they expect this punishment only in certain cases? Does someone have to be killed before severe punishment is applied?

How are these people to know what to expect when justice seems so varied?

Is it possible to restructure the law as it stands? Can we punish the offender without adding an additional toll to society in terms of financially-strapped families, broken marriages, lost jobs?

These people say we can and we must.

Jail : Deterrent or Punishment?

If, as some researchers maintain, jail is not a proven deterrent, perhaps we can still feel free to use it simply as a form of punishment.

As H.L. Hart notes in his paper Law, Liberty and Morality, punishment may not always be inflicted because it acts as a fitting consequence for the moral evil of the individual but, rather, because it stands to benefit society as a whole.

Possibly we can accept arguments both for and against mandatory jail terms by adopting a compromise: mandatory jail only under certain circumstances -- perhaps personal injury or fatal accidents? for repeat offenders? for certain levels of drunkeness?

Public Perception of Justice

"There is a difference between a first offender who misjudges his capacity by a single drink and gets caught in a roadblock, and a chronic drunk with several previous convictions, who kills two or three people. That view does not assume that one is less guilty than the other of an offence. But any rational approach must be based on the assumption that a long-term, or even a lifetime problem, must be addressed in a different manner than an isolated fall from grace." * (John L. Lyndon, President, Insurance Bureau of Canada, Jan. 12, 1983)

The effectiveness of laws is, in large part, based on society's moral acceptance and support of them.

"A critical factor may be that the new legislation is sometimes not in accordance with the public's own notion of justice. The public may not accept laws stipulating strong penalties for behavior which is common, and which therefore is not sufficiently deviant to be considered immoral." (OECD, 1978, p.117)

Yet, even laws against murder, assault and robbery give leeway for explanations of mitigating circumstance, personal history and motivations. A compassionate society lends its ear to the complete story before assessing blame and punishment and, in so doing, sustains a level of support among its citizens.

---

* NOTE: In an indeterminate number of cases, it can be argued that a person's detection and apprehension is actually the isolated incident, not his or her practice of drinking and driving.

Robert Borkenstein, the inventor of the Breathalyzer, who continues to be an expert in the drinking-driving field, questions the validity of imposing too severe a restraint on drivers for fear of losing their good graces.

Better to have responsible drivers on your side than alienate them by moves such as lowering the legal BAC to a point where drivers could be arrested and punished despite the physical fact that they are not drunk, he notes.

A second stumbling block to mandatory jail is the inequality of justice that would be created by an across-the-board implementation of mandatory jail terms.

Keeping in mind the perception that consequences are not always equal for victim versus offender in today's courts, there exists the possibility of creating a new form of injustice to substitute for the old.

How do we defend such a hard line for drinking drivers when other offences allow for greater leniency based on motivation and circumstances?

In taking away the right to be sentenced or punished as an individual before the courts, do we risk bringing the equity of the justice system into question and the alienation of existing citizen support for an attack on drinking and driving?

Further consideration must include the attitude of judges themselves, some of whom have a steadfast aversion to any minimum mandatory penalty provisions in law. Rebelling against the imposition of automatic sentences and preferring to exercise individual discretion over the accused, judges have been known to substitute fines, community service orders or extended licence suspensions.

Although dependent on the individual judge's reaction to mandatory jail terms in the drinking and driving area, an increase in this form of sentence substitution could well be anticipated.

Protection From Ourselves

Similarly, the issue of raising the legal drinking age poses difficulties if we concern ourselves with how much government can and should protect us from ourselves.

The drinking age was lowered in 1971 to allow individuals attaining the age of majority (18) and all its related responsibilities the freedom to toast their own wedding or sign the mortgage.

Obviously, enough concerns were raised by subsequent reports on drinking and driving, drinking and school behavior, and its effect on even younger age groups, that legislators felt compelled to raise the age to 19 -- in an effort to keep alcohol out of the school system and allow teenagers another year of maturing before adding the responsibilities of alcohol use to the learning process.

The grandfather clause included in that legislation was designed to soften the blow to 18 year olds -- to extend them a courtesy and minimize the risk of alienating them through a law perceived as "unfair".

While some may scoff at concerns that rights are being suspended through an increase in the drinking age, the fact is that government -- having bestowed a right upon a sizeable portion of the population -- would be saying, 'What was legal yesterday is illegal today.'

Many who could support such a move to deal specifically with drinking-driving problems might hesitate in their support for another law which suspended rights such as the right to drink alcohol or drive a car.

The fact that government may be doing it for their own good likely would not alleviate concerns at such drastic intervention in their lives.

There is no question that injuries and loss of life in the 19- and 20-year range could be reduced but as David Reed points out in his 1981 paper, Reducing the Costs of Drinking and Driving: "When the drinking age is lowered from 21 to 18, the accident involvement of 18-, 19-, and 20-year old drivers increases. The same effect would probably occur to any age group that was prohibited from drinking, so the case is not clear for setting the drinking age at 21. Drivers under 21 are more sensitive in their accident risk to BAC than are other drivers, but this may be merely because they are inexperienced drinkers. If so, then raising the drinking age would merely transfer increased accident risk from drivers under 21 to those just over 21." (p.362)

By raising the age, do we merely create a group of citizens who regard the specific law with contempt? Do we risk that attitude spilling into other facets of the legal system?

Will we find ourselves witnessing newly-enfranchised drinkers "making up for lost time?" Will the extra time available to acquire greater driving proficiency offset the potential for accident involvement by novice drinkers?

A raised drinking age will limit access to alcohol but, just as the spillover effects have been noticed in the younger age groups in the past, we can expect it to filter through to those aged 19 and 20--perhaps with greater intensity.

By changing the rules of the game, can we expect this group to morally support these new restrictions? Will the over-21-year-olds (who inevitably will be asked by some to supply liquor) feel less inclined to refuse because the law doesn't seem fair? Will parents, who have used consistency as a behavioral tool ("I've said no and I mean no") be able to support and willing to enforce what may appear to be an inconsistent law?

In fact, a survey to be conducted this year by the Ministry of Consumer and Commercial Relations will include questions regarding the legal drinking age and hopefully provide lawmakers with a better assessment of current public sentiment.

The Example of Marijuana Laws

Marijuana laws offer an excellent example of legal restrictions lacking the moral support of all citizens -- particularly younger age groups. Some politicians have included the promise to decriminalize marijuana in campaign platforms while debates as to its health effects produce an ever-growing list of pros and cons.

Flaunted in public time and again, marijuana use elicits obvious support from a segment of the population which does not believe the activity is wrong. With the existing possibility of modifying strict laws regarding marijuana possession, society is left with a "soft" issue on which it is difficult to take a "hard" stand.

Similarly, with alcohol, will a 21-year-old restriction merely take the youthful drinkers out of the bars and put them in private homes? With private homes the main locale of social drinking, just how great will the effect of this law be? Will we change the problem rather than solve it?

In assessing the many effects possible from such a move, however, legislators are cautioned to remember that, although the numbers are not certain, unquestionably some deaths and injuries will be prevented by raising the drinking age.

LICENSING ALTERNATIVES

Background

Rather than restricting the drinking privileges of all those under 21 years, perhaps an alternative is available through Ontario's driver licensing system.

The province, which has jurisdiction over driver licence issuance and suspension, currently has a probationary system calling for two, 12-month periods of driving with no suspensions and the accumulation of no more than six points (for which an automatic 30-day suspension is imposed).

A suspension in either 12-month period cancels that period only, leaving the successfully-completed year intact.

In contrast, a fully-licensed driver may accrue up to nine points before being called in by the Ministry of Transportation and Communications for an interview regarding driving practices. If the interview is unsatisfactory, a driver's licence can be suspended for 30 days.

If the maximum of 15 points is accumulated, the licence is suspended for 30 days and returned, at no cost, with the point level reduced to seven. A second, 15-point suspension revokes a licence for six months.

Under the current system, there is no penalty for failure to complete the two, suspension-free periods of probationary licensing, except the six-point maximum restriction.

BAC Restriction for Young Drivers

It has been suggested that, as a deterrent measure, all those holding a probationary licence be restricted to a lower BAC than a fully-licensed driver or a zero BAC.

A recent coroner's inquest (April, 1983) into the deaths of three Mississauga teenagers went further and suggested 50 mg% as a suitable restriction for drivers up to the age of 21.*

By restricting new drivers to a lower BAC and ensuring they were adequately aware of the consequences -- through increased emphasis in the Driver's Handbook, increased testing at the time of licence application and general education -- the seriousness with which drinking and driving is regarded by government perhaps would be emphasized enough to have a measurable impact.

While such a restriction would rely to a large extent on increased enforcement, it is hoped it also would act as a deterrent to the drinking-driving practice of young or new drivers. Other deterrents could be an automatic increase in the driving age for any probationary driver convicted of a drinking-driving offence or a long-term suspension of driving privileges imposed specifically for a drinking-driving conviction.

Each of these moves also would emphasize the fact that a driver's licence is a privilege, not a right, and demands certain behavior from its holder.

Suspension/Revocation Possibilities

As noted in the section on suspension/revocation of licences, there is equivocal evidence with regard to the effectivenesss of licence suspension and revocation but the balance leans toward its positive influence on recidivism.

Among the possible courses of action within the driver licensing field are :

(i) a special screening process initiated by MTC to weed out problem drinkers

(ii) improved access to and keeping of driver records to facilitate sentencing

---

* NOTE: The teenagers killed had BACs below 80 mg% which supports existing data showing impairment within the youthful drinker-driver category is possible and probable below the legal limit.

(iii) setting of a substantial fee for licence reinstatement

(iv) compulsory driver/alcohol education

(v) driver/alcohol section to be included in driver's test

(vi) more - possibly compulsory - driver training to produce better drivers

(vii) imposition of curfews for newly-licensed drivers

(viii) imposition of travel restrictions for newly-licensed drivers (e.g. licensed to drive only within a certain radius of home)

Reinstatement Possibilities

There also has been some consideration given to the current system of licence reinstatement.

While conditions of reinstatement vary, a driver with a mandatory suspension of three or six months usually will be issued a reinstatement notice and a replacement driver's licence automatically with no tests or conditions to be met.

The driver with a mandatory suspension period of three years must, before reinstatement can be considered, file a medical report on a Ministry of Transportation and Communications form, completed by the physician of the driver's choice and at his/her own expense. (Note: The task force working committee believes the advisability of permitting the offender the choice of physician should be reviewed.)

The report must contain reference to the driver's past and present use of alcohol. At the option of the Ministry, the driver may be required to file a report from a specialist (i.e. a psychiatrist).

If the driver is considered medically and physically acceptable for motor vehicle operation a reinstatement notice is issued. However, before a driver's licence is returned the driver must successfully complete a three-part driver re-examination including vision, written and road test.

If the research community's speculation is correct and recidivism is due in part to the character -- or personality makeup -- of the driver, perhaps a medical examination should be a requirement after the first or second drinking-driving conviction.

In keeping the identification within the medical sphere, we eliminate the problems of a layman's subjective opinion being the determining factor in a punishment that can have long-term, even permanent ramifications on a fellow citizen. More study in this area is required.

Driving Age

A final area for possible review could be the driving age.

Ontario made driver licensing mandatory for chauffeurs in 1909, with an age requirement of 17. (Chauffeurs constituted the bulk of drivers at this time as the high cost of automobiles restricted their purchase to the affluent.)

The age was reduced to 16 in 1917 and continued to be the requirement when, due to lower automobile costs and a resulting increase in the number of drivers, operators' licences were made mandatory a decade later.

MTC rationale for the age of 16 is that sufficient size and physical strength -- as well as maturity -- usually has been attained by this age to produce a competent driver.

Studies show it is the inexperienced driver, as opposed to the young driver, who causes many accidents. The fact is young drivers account for the majority of inexperienced drivers -- therefore their participation rate in accidents, therefore the introduction of probationary status.

BLOOD SAMPLES

Background

The issue of mandatory blood samples first arose in Parliament in 1969 during the debate which ultimately resulted in legislation authorizing mandatory breath testing for drinking and driving offences in Canada.

While mandatory breath sampling came into the country's law books, a section of the Criminal Code permitting the taking of other bodily samples only on a voluntary basis was returned.

Nine years later, the issue arose in official quarters again when the Uniform Law Conference was asked to sanction the taking of "bodily substances upon request by a peace officer, where the peace officer has reasonable grounds to believe that an offence has been committed."

Again, the proposals to incorporate mandatory blood samples in the Criminal Code were rejected.

But increasing public pressure -- as well as the example of other jurisdictions -- has brought the issue to bear once again on federal legislators. Organizations such as the Canadian Bar Association, the Canadian Medical Association and PRIDE have asked the federal government to amend the Code to allow for the taking of blood samples (by qualified persons) from suspected impaired drivers with or without their consent.

The Ontario Medical Association also has indicated its support for mandatory sampling on condition that the medical profession receive legal protection from any resulting criminal or civil liability.

This protection may necessitate new provincial as well as federal legislation.

Both British Columbia and Saskatchewan have passed their own mandatory blood sample laws although neither province has had the legislation proclaimed.

Some dispute has arisen regarding the constitutional grounds for such provincial legislation in the area of criminal law which has been held as the exclusive responsibility of the federal government through its jurisdiction of the Criminal Code.

The support for mandatory blood samples arises from situations where alcohol is suspected as a contributing factor to a motor vehicle accident but breath sampling is not possible because :

(i) the driver is unconscious and therefore not able to provide a sample

(ii) the driver, though conscious, has injuries which make it impossible for a breath sample to be given

(iii) the driver feigns injuries to avoid the breath test

(iv) police are unable to obtain a sample within a reasonable amount of time after the accident because the person has been removed from the scene

(v) the driver is incapable of understanding the nature of a demand for a breath test and therefore, of compliance.

Also, other drugs cannot be detected in breath and require blood samples for proper analysis.

Concerns

The drug question aside, mandatory blood sampling poses a number of concerns which legislators at both the provincial and federal level must address before making recommendations in support of or in opposition to new legislation.

Some of these are :

(i) Will this constitute a violation of civil liberties?

(ii) Is the unconscious driver being put at a greater disadvantage over the conscious driver who can refuse such testing and face the consequences in full knowledge of his actions?

(iii) If immunity from civil and criminal liability is extended to the medical profession, is there a risk of abuse?

(iv) Will reasonable excuses for failure to comply be allowed? (i.e. sterility of equipment)

(v) If a person refuses to comply, is forced acquisition of a sample permitted?

(vi) Should blood sampling be restricted to such circumstances as accidents? unconscious drivers? only those going to hospital?

(vii) Should "reasonable and probable" grounds exist for believing the driver is impaired before a request for a blood sample is made?

(viii) Is the number of drivers escaping charges -- either through the intervention of fate or feigned injury -- large enough to justify such measures? (A 1981 Ontario Provincial Police survey showed that 4.3 per cent of all drivers involved in motor vehicle accidents [including non-reportable accidents] were charged with drinking and driving offences. An additional 3.2 per cent were removed to medical facilities before an assessment of their sobriety could be made. Investigating officers reported a strong suspicion of alcohol or other drug use by about two-thirds of those removed to hospital.)

(ix) Will mandatory sampling act as a deterrent against drinking and driving?

A passive breath-testing device which could measure the BAC obviously would solve much of this problem for alcohol although the necessity for a similar device to assist in drug detection is necessary to solve concerns in this area if the notion of mandatory blood sampling is to be abandoned. (A 1979 survey by Ontario's Chief Coroner's Office and the Centre of Forensic Sciences in Toronto examined drivers and pedestrians killed in traffic accidents. The conclusion was that in about 11 per cent of these cases the possibility of contributory effects of drugs or drug combinations could not be eliminated.)

While claims regarding passive breath testers have been made, researchers are not agreed upon the suitability or effectiveness of such devices. Many, in any event, still hold blood as the best sample in which to measure BAC.

The Law Reform Commission of Canada, in a recent working paper on investigative tests, has recommended that police be authorized to obtain a blood sample from suspected impaired drivers where there is reasonable and probable grounds that the impairment was caused by drugs, including alcohol, or where a breath sample cannot be taken because of injury or illness.

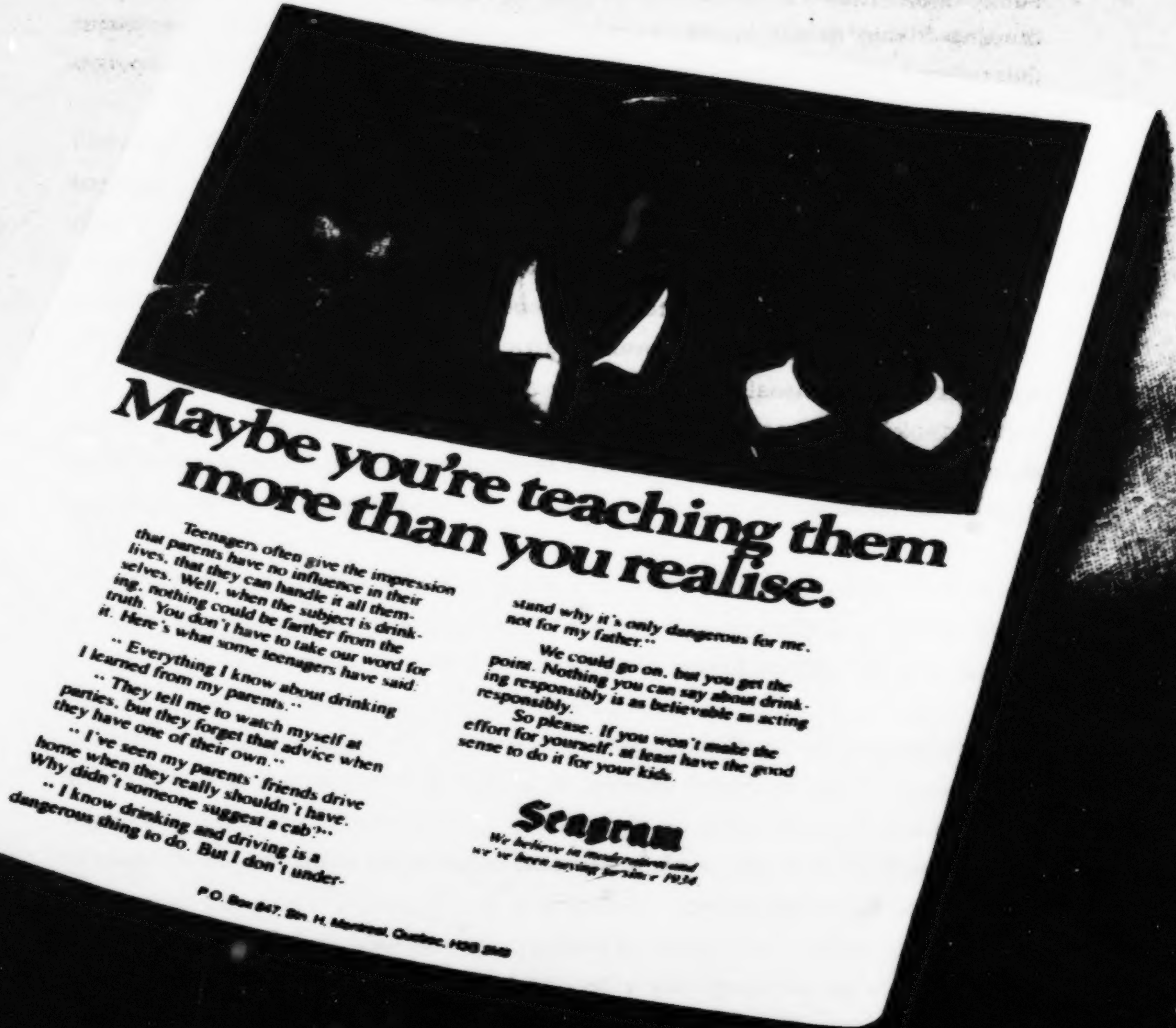
Where the driver has been admitted to hospital or is otherwise undergoing medical treatment, the Commission recommends that police not be able to obtain a blood sample without the written authorization of the attending physician.

Failure or refusal to provide a blood sample without reasonable excuse would be an offence.

Implied Consent

As noted earlier, support has been expressed for the idea of implied consent - a practice used in the United States for breath samples for many years. This means the holding of a driver's licence is deemed as implied consent for the taking of a sample in relation to drinking-driving offences. Failure to comply would mean either a charge equivalent to a failed breath test or the revoking of the licence for failure to comply with the terms of issuance.

Communications/ Advertising



Maybe you're teaching them more than you realise.

Teenagers often give the impression that parents have no influence in their lives, that they can handle it all themselves. Well, when the subject is drinking, nothing could be farther from the truth. You don't have to take our word for it. Here's what some teenagers have said:

"Everything I know about drinking I learned from my parents."

"They tell me to watch myself at parties, but they forget that advice when they have one of their own."

"I've seen my parents' friends drive home when they really shouldn't have. Why didn't someone suggest a cab?"

"I know drinking and driving is a dangerous thing to do. But I don't understand why it's only dangerous for me, not for my father."

We could go on, but you get the point. Nothing you can say about drinking responsibly is as believable as acting responsibly.

So please. If you won't make the effort for yourself, at least have the good sense to do it for your kids.

Seagram

We believe in moderation and we've been saying so since 1934

P.O. Box 847, Stn H, Montreal, Quebec, H3B [illegible]

Reprinted with permission of
Seagram Distillers Limited

COMMUNICATIONS/ADVERTISING

Public Information Campaigns

Public information (PI) campaigns, although not credited with affecting a change in drinking-driving practices by themselves, show evidence of being a major determinant in the success or failure of legislative or enforcement campaigns aimed at the drinking driver.

At the very least, they serve the public by informing them of the status of drinking-driving laws as well as the rationale behind them.

"PI countermeasures can help to create open acknowledgement of the problem, create public sensitivity, and ensure participation in the overall program by agencies and professionals." (ARF, 1982)

What PI campaigns appear to do best is: 1) educate the public about existing laws; 2) make the public aware of new legislation and/or enforcement methods.

While the ultimate goal of any PI campaign is to reduce the incidence of drinking-driving crashes, it is hoped that these campaigns also serve to affect a change in social attitude toward the practice of driving while impaired.

As discussed previously, drinking-driving experts are no longer pointing an accusing finger solely at the "problem" drinker. It is also the social drinker who -- ignoring the effect alcohol is having on him and her, insufficiently concerned with legal definitions of intoxication, or over-confident in his or her ability to "hold" liquor -- poses an equally serious threat.

It is also this group which may offer the best subjects for adjustment in those attitudes.

"Little effect may be expected in general from safety campaigns directed at particular problem groups such as alcoholics . . . these individuals have already demonstrated such a considerable resistance against the pressures exerted by their immediate environment, medical intervention, as well as from society in general that mild and general educational approaches such as used in safety campaigns cannot have any substantial effect. Consequently, campaigns on drinking and driving should be directed at "normal" (i.e., social) drinkers ... " OECD, 1971 (p.23) ; 1978 (p.89)

Within the Ontario government, concern about the drinking-driving problem has produced a variety of messages being put by the different ministries and aimed at different groups.

For example, the Attorney General's Ministry tries to make the public aware of the legal ramifications of drinking driving; the Health Ministry emphasizes the necessity of knowing the effects alcohol has on your body and your ability to function ; the Ministry of Transportation and Communications stresses the negative effects of drinking and driving abilities.

The necessity of having drinking messages aimed at the different audiences precludes the designation of a single ministry as the government's drinking-driving spokesman. However, there is room for better co-ordination of various communication and information efforts.

Activities by Ontario Ministries

Here is a brief summary of each ministry's programs :

Attorney General

An annual campaign, aimed at the traditionally high incidence of drinking and driving during the Christmas-New Year period, is conducted in December.

Graphics (posters, billboards, bus shelter displays) tend to be stark and vivid such as the 1982 poster of three body bags on a slippery, dark road underscored with the slogan, "Feeling No Pain". This material, pre-tested for public impact, won awards in both the U.S. and Canada for creative excellence.

In addition, three 60-second radio commercials were produced and time purchased to air them on 16 stations in four cities. The commercials, aimed at young adults and also pre-tested, were distributed by some police forces to be used as public service announcements.

A print advertisement (usually the main poster) is placed in ethnic and weekly newspapers through the Communications and Information Program of the Ministry of Industry and Trade.

The commercial and poster are distributed year-round to police forces requesting them for use in community service projects and special drinking-driving efforts.

Cost of this program was approximately $110,000.

Solicitor General

In December, 1982, the ministry -- through the Ontario Provincial Police -- distributed a variety of province-wide and regional public service radio spots.

An annual news conference to highlight stepped-up police enforcement during the holiday season, held by the Solicitor General and the Commissioner of the OPP, received extensive media coverage throughout the province.

The ministry, with the continuing endorsement of the Ontario Police Commission, has used conferences, public statements and directives in an attempt to raise police awareness of the need for -- and positive benefits of -- increased enforcement of drinking-driving laws. As a result, there have been local enforcement and communications programs in several centres, most notably in Metropolitan Toronto where safe drivers were rewarded with movie tickets and in Ottawa where a taxi company co-operated with police by running radio commercials warning against drinking and driving.

Transportation and Communications

The ministry's major effort has been the production and distribution of a three-part film series to educate young people on the dangers of drinking and driving. Entitled "Three For The Road", the trilogy was the result of an inter-ministerial task force study in 1977-78 and was three years in the making. In 1982, 135 English and 18 French versions were sent to school boards.

MTC also produces television and radio public service spots dealing with drinking-driving as well as traffic safety in general. The latest television spot, adapted from a New York PI program, was made in co-operation with the Attorney General and Solicitor General's Ministries. The commercial, used as a public service announcement, received extensive attention on television news shows in the pre-Christmas period.*

Health

The ministry's focus, naturally, is on immoderate drinking as a health concern rather than just a social or legal issue. The material it produces deals with the use and abuse of alcohol generally, not just as it applies to driving.

One series of television commercials and transit advertisements, which costs approximately $195,000, is aimed at showing persons the adverse impact of immoderate drinking -- particularly when the effects are witnessed by their children.

Health Spell, a live theatrical performance, is designed to help children between the ages of seven and 12 form positive ideas about healthful lifestyles. The $50,000 program, which will be available in French later this year, consists of a series of mime, puppet and musical vignettes on various health habits including moderation in drinking.

---

* NOTE: There is a shortage of Canadian-produced video material on this subject.

Alcohol education kits, entitled Your Health and Alcohol, are prepared for students in Grades 7 and 8. The objective is to give teachers material to assist students in making their own decision, developing their own values and clarifying positive and healthy ways to handle pressures. Key material is on what constitutes responsible drinking. Drinking and driving is also discussed in the material for Grades 9 and 10, and the total package costs approximately $150,000 a year.

The ministry also is developing a Health Crest Family Workbook as part of its broad 'Health Begins at Home' program. Children, with their families, would be encouraged to work towards being awarded a Health Crest for completing projects rated to healthful lifestyles. The workbook will be similar to a comic book and contain factual material as well as a list of suggested activities families could opt to do. The project is expected to be underway by the summer or fall of 1983 and have an annual cost of $50,000.

Education

The ministry encourages the use of materials produced by other ministries as well as supplying it as part of their alcohol education programs.

Instruction is introduced as early as kindergarten as part of general health education and continues throughout the school curriculum with the greatest concentration coming in the Grade 7 to 10 levels.

Ministry guidelines regarding alcohol education in the primary and junior levels suggest study of the types and effects of alcohol as well as the nurturing of positive attitudes toward alcohol and nutrition, alcohol and health, and alcohol and the law.

Media messages suggesting the use of alcohol as an essential part of the good life are to be countered.

For Grades 7 and 8, an emphasis on factual information is recommended with an introduction to attitudes toward alcohol consumption. Key content in this area includes what constitutes responsible drinking and the roles of decision-making, peer pressure, and self-concept in decisions related to alcohol use.

The program attempts to establish a firm base for the emphasis this subject is given in Grades 9 and 10. At this level, teachers are advised to continue and increase the emphasis on values, decision-making, peer pressure and responsible driving.

At the senior high school level, the ministry suggests teachers establish dialogues on the use, misuse and abuse of alcohol (and drugs) based on the legal, medical and pharmacological factors studied in earlier years.

Government Co-ordination

As part of the ongoing efforts of the working task force, communication representatives of the ministries involved met to discuss how best they could co-ordinate material being produced by the government.

What makes assessment of the material difficult is that it is virtually impossible to separate the communications' effectiveness from the impact of other factors such as a police blitz or a media blitz on the subject.

Like the education process itself, communications appears to be a long-term investment rather than one with short-term, assessable impact.

What has emerged from these meetings is a consensus on the need to develop communications and education material on drinking and driving and on the necessity of co-ordinating a schedule of its distribution.

As the government's drinking-driving communications network now stands, there is a duplication of efforts, particularly during the Christmas/New Year's season.

Efforts may prove more valuable if they are spread throughout the year.

As studies by the research community continue, perhaps we will be given better guidelines as to the impact and effectiveness of the various types of communications.

ADVERTISING

LLBO Directives

Alcohol advertising has been a controversial subject for more than a decade now and its possible impact upon drinking habits the subject of a number of research papers.

In Ontario, in 1978, the Liquor Licence Board of Ontario (LLBO) carried out an exhaustive review of advertising regulations in conjunction with the alcohol beverage industry, the advertising community and interested government and public groups. With the agreement of all involved groups, the Board issued the following directive :

> "Advertisement must not suggest that the consumption of alcoholic beverages per se, or of a particular category of alcohol beverage may be a significant factor in the realization of any lifestyle or enjoyment of any activity."

The Board then examined existing television and radio commercials as to possible contravention of the new lifestyle directive with the result that a number of Labatt's, Molson's and Carling O'Keefe commercials, found to be questionable, were withdrawn from further broadcast.

Directives were revised again in 1980 and sections were added to deal with the areas of dangerous activity within alcohol beverage advertising, a more definite prohibition on any possible relationship of drinking and driving, and a strong suggestion that food should, where possible, be included in alcohol beverage advertisements and commercials.

Directives for distillers are similar with the major difference being that advertising is not permitted on radio or television.

In examining the specifics of the LLBO directives, there can be little question that Ontario's beer, wine and cider producers as well as distillers are justified in saying they are one of the most regulated industries in the province with respect to advertising.

For example, under miscellaneous advertising rules, beer, wine and cider companies :

(a) may hold news conference or receptions to publicize activities being sponsored but may mention the sponsor's name only during the introduction and at the conclusion of the event.

(b) are restricted in the size, labelling, lighting and cost of items such as draught beer signs and handles

(c) subject to Board approval, and during November and December only, can mail brochures illustrating gift packages to bona fide home consumer customers

Advertising directives are equally specific. Beer, wine and cider advertisers must :

(a) have regard at all times to the need for discouraging abusive drinking patterns and encouraging the legal, moderate and safe consumption of alcohol beverages

(b) not use any person or group whose exposure, fame or prestige is a result of activities, work, or endeavours outside the production of beer, wine or liquor

(c) not imply, directly or indirectly, that social acceptance, personal success, business or athletic achievement may be acquired or result from the use of the product being advertised

(d) must not suggest that workers or participants in sports, recreation and craft or hobbies involving care and skill or elements of physical danger should consume beer or a particular brand of beer before or while engaging in such activities.

(e) refrain from any aspect of any activity which calls for a high degree of skill if imitation by the unskilled or underage viewer could be considered dangerous

(f) not associate brands or consumption with the driving of a motor vehicle nor allow either stationary or moving vehicles in actual consumption scenes

(g) not use pictures of minors or persons who reasonably could be considered minors

(h) not advertise in publications for which half or more of the total circulation is, or is likely to be, under the age of majority

(i) shall not broadcast commercials during periods when half or more of the audience is, or is likely to be, under the age of majority

Advertising directives also restrict the number and size of alcohol advertisements in newspapers, magazines, public transportation vehicles, subways, airports, railway stations and Go Transit vehicles and stations to the amount of on-air advertising with a maximum of 75 radio minutes per week per station and a limit of 35 minutes per television station per week.

Assessment of Alcohol Advertising

All this said, questions remain. Are wine, beer and cider producers adhering to these rules? If not, are "borderline" advertisements the exception or the rule? Are directives sufficient? Do these advertisements affect consumption levels or consumption practices? If so, should they be further restricted or abolished? Do wine, beer and cider producers have a responsibility to assist in the campaign against socially unacceptable activities related to alcohol such as drinking and driving?

Although it is the issue of advertising and its effect on alcohol consumption which has caused the most public response, Ontario's Ministry of Consumer and Commercial Relations reports that it has yet to find indisputable evidence that advertising does contribute to increased consumption.

The difficulty in assessing advertising effects is that it is almost impossible to isolate advertising from other influences such as availability or hours of public drinking.

Barnes and Bourgeois in a 1977 study for the Research Bureau of Health and Welfare Canada concluded : "It is impossible to single out any variable as the sole or major cause of increases in alcohol consumption in Canada . . . The authors also conclude that there is little evidence to support the contention that per capita consumption of beverage alcohol is influenced by the volume of advertising for such products."

B.C. Ban on Alcohol Advertisements

In British Columbia, a ban on alcohol advertisements was imposed for 14 months from September 1, 1971 to October 31, 1972. A study of the ban by Smart and Cutler (ARF, 1976) concluded : "The data . . . lend little support for the view that the B.C. advertising ban reduced alcohol consumption. Both the yearly and monthly analysis of beer, wine and liquor consumption show no substantial effect of the ban."

The two researchers did, however, note that the ban was carried out in less than ideal circumstances which may have had some effect on its success. The problems, which they suggest other jurisdictions consider before implementing similar measures, are :

(i) lack of community support

(ii) lack of support by mass media, whose revenues are naturally affected by the ban

(iii) mass media conducted a propaganda drive against the continuance of the ban

(iv) interference with ban effectiveness by outside television and magazine communications still carrying advertisements

(v) uncertainty of the ban retention with a change in government.

The B.C. ban on liquor advertisement on the airways ended in October, 1982. The main restriction currently in place requires radio and television stations to air alcohol education messages equivalent to 15 per cent of the air time taken by liquor ads and corresponding to the same time slots.

The B.C. Association of Broadcasters, which lobbied for liquor advertisements, voluntarily took on responsibility for monitoring compliance with the rule.

A U.S.-based study by Breed and De Foe (Scientific Analysis Corp., 1981) appears to be unique in its conclusion that advertising has an unquestionable effect on the public, particularly the young. In fact their study prompted several others which disputed Breed and De Foe's methodology, unscientific assumptions and as one study noted: "A recurrent problem in Breed and De Foe's analysis and interpretations is an underlying prohibitionist stance toward drinking in general and the resultant inability to differentiate legitimate moderate consumption from abusive consumption." (Strickland and Pittman, 1981, Abstracts and Reviews in Alcohol and Driving, Alcohol Research Centre, University of California)

Nevertheless, wine, beer and liquor producers themselves must believe that the benefits of advertising far outweigh its enormous costs, if only for the promotion of their individual brands.

Activities in Ontario

The $100,000 spent annually by the entire brewing industry in Ontario on advertising warning against the dangers of combining alcohol with driving, speaks to the relatively small effort that has been expended in this field.*

Following discussions with the task force about inaction on the part of the brewing industry and the options for government intervention, Labatt's launched a 13-week,

---

* NOTE: An information pamphlet prepared by the Brewers' Association of Canada notes that, "the brewing and marketing of beer contributed $1,754 billion to Ontario's Gross Provincial Product in 1981 and represented 1.4 per cent of the Gross Provincial Product".

$1-million anti-drinking-driving advertising campaign. Efforts such as these and the print campaign by Seagrams are to be applauded as is the stated intent of the National Brewers Association to launch a national anti-drinking and driving program of advertising.*

However, whether we are witnessing or will witness merely short-term reactions based on a fear of government intervention or the start of a long-term commitment to assist anti-drinking-driving efforts is yet to be seen.

Government Options

It is obvious, in the volume and tone of letters sent to government, that some of the public objects strongly to the tone of the brewing industry's lifestyle advertisements on television in particular. With stringent regulations already in place, the task force questions whether they could be made any more definitive.

However, it is up to government -- the Consumer and Commercial Relations Ministry in particular -- to ensure that the restrictions are observed and not "stretched". A review of current on-air lifestyle advertising may be in order.

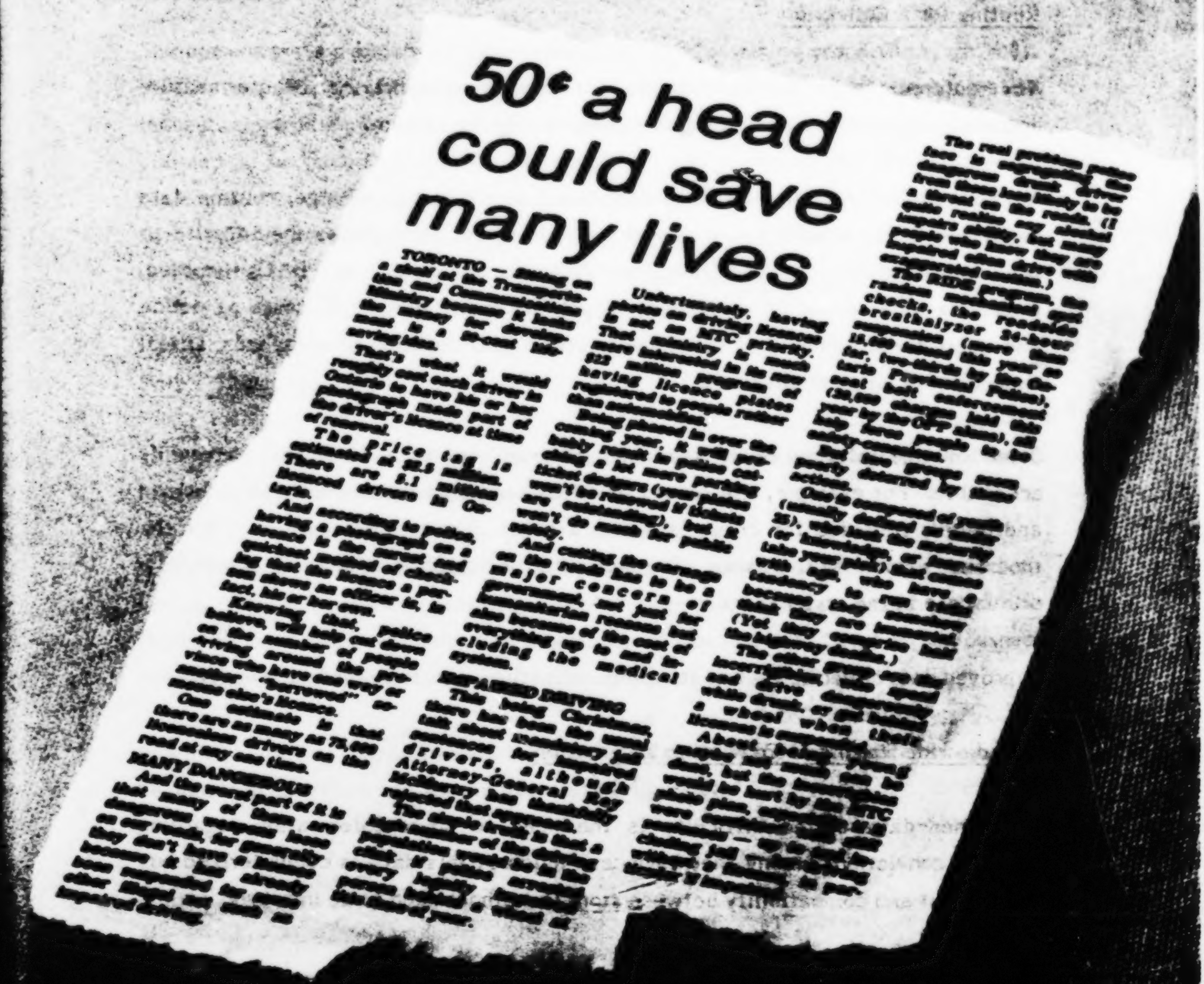
It also will be left to the politicians to decide whether they will rely on the voluntary efforts of wine, beer and liquor producers in the anti-drinking-driving area or legislate a certain percentage of advertising be of an educational nature.

The most sweeping option available to the government is to institute a ban on alcohol advertisements although consideration must be given to the B.C. problems which doubtless would also hinder any similar effort here in Ontario.

---

* NOTE: After the Brewers' Association notified the task force of its intention, the Labatt's campaign appeared as an individual effort. Angered by what it perceived as a loss of co-operative spirit, Carling O'Keefe pulled out of the national association. The fate of this campaign is now dubious.

Supporting Actions



50¢ a head could save many lives

Reprinted with permission - Niagara Falls Review

SUPPORTING ACTIONS

Routine Data Collection

The enforcement/judicial component of the drinking-driving countermeasure system is the most expensive and most used part of the system.

To make informed decisions on enforcement or legislative change, routine data collection -- far beyond what we now do -- is vital. Data banks should exist to provide the judiciary and the lawmakers with information such as: BACs recorded, a Canada-wide record of drinking-driving convictions, sentences, costs of police and court time, numbers of drinking-drivers in jail, duration of sentences, actual time spent in jail, and jail costs.

Some of this information is available, although not in a form that is readily accessible. For example, the record of BACs kept by police is not computerized and details recorded for crash fatalities are far in excess of those kept for the thousands of non-fatal crashes. The lack of data regarding sentencing stands as a crucial gap in the system.

Improved data collection -- and its computerization -- must be made a priority.

Canada-wide Sharing of Conviction Information

A further data-related difficulty is the need to share information regarding previous convictions among the provinces. Much of this data is computerized but access to it and compatibility between storage methods need to be improved.

Other Options

Among the alternatives suggested to the task force are:

Photo Licences in Ontario

As discussed previously, photo licences, including a fully-automated system, would cost the province approximately $3.6 million. Their effectiveness as a deterrent to driving while under suspension would be significant if combined with adequate enforcement and thus would make the suspension penalty more meaningful.

The present system allows for licence duplication of alarming proportions. In 1981, MTC issued 607,000 licences on change of address requests, 70,500 on correction requests regarding hair color, height, spelling etc., and another 95,710 for licences claimed to be lost, stolen or mutilated for a total of more than 773,000 licence replacements. Also, people arriving from other provinces are not obliged to prove they hold no other licences and there is the additional problem of black market licences.

Police Telephone Line

In one U.S. state where this has been implemented, police report great success in receiving legitimate calls with resulting arrests.

While there may be some benefits to this system, a number of drawbacks are worth noting. The U.S. report offered no data on the number of calls that could be classified as a hoax, as vindictive in nature, or that are based on overzealousness rather than adept observation.

In addition, police forces already feeling the strain on manpower and resources may be unable or disinclined to do the necessary follow-up.

Publish Names

While such a practice can be found in not-so-distant North American history, it requires a co-operative spirit from the media which, according to PRIDE representatives, appears to be lacking today in this specific area.

There is a little doubt that a list of convicted drunk drivers in the local newspaper would cause embarassment to the individuals involved.

But, as a deterrent to drinking-driving, it seems to hold little promise when a trial in open court along with the threat of fines, imprisonment and licence suspension has had no obvious effect.

The media's reluctance to participate in such an effort reflects a change in basic attitude from the days when a scarlett-letter approach was seen as an acceptable means of ostracizing undesirables.

A similar philosophy holds true for suggestions raised in the United States regarding special licence plates for drunk drivers -- using either coding, color or fluorescent plates. Such a public branding of offenders seems drastic.

Raise Alcohol Purchase Age to 21

At first glance, this would appear to be a move to make alcohol more difficult to acquire than to drink. Since under-age drinkers find ways to obtain alcohol regardless of the drinking age, this restriction may only result in many and more innovative means of purchase.

In addition, we could be asking the owners of licensed establishments to pay the price for actions which may prove of no assistance. In the meantime, government leaves itself open to criticism for penalizing one group (i.e. tavern owners).*

Decreased Operating Hours

In a 1976 study by Smart and Docherty, the effects of on-premise drinking were studied in Owen Sound, Ontario, where -- up until May 1, 1906 -- numerous saloons were open around the clock, seven days a week.

In May, 1972, liquor and dining lounges allowing on-premise consumption of alcohol beverages for the first time in 66 years, were authorized.

---

* NOTE: Government also could undergo a revenue loss via reduced purchases by the owners of licensed establishments.

Smart and Docherty examined alcohol-related accidents, charges of impaired driving and nighttime accidents over the period 1970 to 1974 in Owen Sound as well as Collingwood -- the community closest on Georgian Bay (80 kilometres away) which had no drastic change in the number of on- and off-premise consumption outlets during the same period.

The results were that, "no effect of the new outlets in Owen Sound on traffic problems," were found. "In fact, accidents involving impaired drivers decreased in Owen Sound and doubled in Collingwood . . .

"Perhaps without on-premise outlets people who wished to drink had to travel long distances to bars and hence were more exposed to accidents and charges of impairment than when drinking could be done more locally. The present results are in keeping with the finding that rates of drunkeness arrests and numbers of outlets are unrelated."

While other studies have shown an increase in consumption with the advent of off-premise outlets, we have encountered no study which assesses the effect of the number of hours of on- and off-premise establishments on impaired driving.

A 1974 study also done by Smart, Comparison of Purchasing in Self-Service and Clerk-Service Liquor Stores, did show that self-service stores had more customers and sold more bottles per customer than the clerk-service stores.

While this particular study cannot lead us to a conclusion on whether operating hours have a discernable effect on consumption, it did raise some questions on the general effects of alcohol availability.

"The data . . . suggest that impulse buying may be promoted by self-service stores and that impulse buyers drink more frequently and drink larger amounts."

Government policy allowing beer in the ballpark and 'happy hours' with reduced beer and liquor prices also has been pointed out to the task force as an area for possible review.

A 1978 U.S. study used the happy hour policy of discount drinks to determine the effect of purchase price on drinking behavior. Males with a prior history of either casual or heavy drinking were given free access to beverage alcohol for 20 days. Approximately half could buy 50-cent drinks while the others paid 25 cents during a three-hour afternoon period.

"The results demonstrated that the afternoon price reduction significantly increased alcohol consumption in both casual and heavy drinkers. Reinstatement of the standard purchase price effectively suppressed drinking in both groups." (Babor et al., 1978, p.35)

Responsibility of Licensed Establishment Owners

In regard to public consumption in general, the task force notes with some concern what we perceive as widespread ignorance or abuse of Ontario's Liquor Licence Act with regard to the responsibilities of licensed establishment owners.

Section 53 of the Liquor Licence Act provides that :

> "Where any person or his servant or agent sells liquor to or for a person whose condition is such that the consumption of liquor would apparently intoxicate him or increase his intoxication so that he would be in danger of causing injury to his person or injury or damage to the person or property of others, if the person to or for whom the liquor is sold while so intoxicated
>
> (a) commits suicide or meets death by accident, an action under Part V of the Family Law Reform Act lies against the person who or whose servant or agent sold the liquor ; or
>
> (b) causes injury or damage to the person or property of another person, such other person is entitled to recover an amount to compensate him for his injury or damage from the person who or whose servant or agent sold the liquor." 1975, c.40, s.53

With responsibility and liability stated so clearly, the task force believes that many owners of licensed establishments should review their current policies and serving practices.

CONCLUSIONS AND RECOMMENDATIONS

1. A COMMUNITY-BASED EFFORT - PROMISE FOR THE FUTURE

Regardless of what legislators may or may not do with the recommendations currently being formulated by this task force, we are faced with one undeniable fact -- there are no guarantees of success.

This paper, like so many before it, illustrates that no single measure has proven itself effective in pushing the alcohol-related accident statistics on a sustained downward trend.

Whatever effort or combination of efforts is decided upon cannot -- in light of the best research -- be expected to affect a permanent change in the drinking and driving behavior practised by our citizens.

Recognizing the need for a heavy hand in our enforcement efforts and our courts, we nevertheless feel compelled to look to the community itself for the ultimate solution to drinking and driving.

Because the individual makes the often-fatal mistake of driving while drunk, because public sympathies create the atmosphere in which a practice is deemed acceptable or unacceptable, because people must be held responsible for respecting our laws, the task force believes Ontario's citizens must be called upon to bring pressure to bear on those who drink and drive with no regard for law or the safety of others.

Like the anti-smoking campaigns of the 1960's, which have created a sustained and growing anti-smoking society for the 1980's, the task force working committee believes similar efforts will be necessary to produce similar results in the area of drinking and driving.

It is not our intention merely to absolve legislators and law enforcement officials of their continued responsibility to deal with the problem. Rather, by involving citizens at all levels, we seek to achieve our goal with a greater assurance of success and in a shorter period of time.

While immediate results are always preferable, the public and politicians alike must make the mental adjustment necessary for a generation-long commitment to a problem already several generations old.

Rather than demanding a drastic drop in drinking-driving statistics, which history shows will be short-lived, we must content ourselves with a more gradual but hopefully permanent reversal of alcohol-related injuries and deaths.

World-wide data show a decrease in the number of fatal accidents -- reflected in a 4.8 per cent drop in Ontario's 1981 fatal statistics -- yet alcohol involvement remains high at more than 50 per cent of all driver deaths each year world wide.

1981 statistics, illustrating the number of accidents per 100 million kilometres driven, show that only Newfoundland had a lower accident rate than Ontario :

Newfoundland	1.7	Ontario	2.0
Prince Edward Island	2.3	Manitoba	2.6
Nova Scotia	2.6	Saskatchewan	3.1
New Brunswick	3.0	Alberta	3.1
Quebec	3.1	British Columbia	3.6
Yukon	2.3	Northwest Territories	2.9

Canadian Average : 2.7

International statistics for 1980 (last year available) also put Ontario and Canada-wide accident rates in a favorable light.

Austria	5.4	Spain	6.9
Belgium	7.7	Sweden	2.2
Finland	2.0	United Kingdom	2.2
Federal Republic of Germany	3.9	Canada	2.7
Iceland	3.0	Ontario	2.0
Norway	2.0		

However, Canadian and Ontario accident rates do not fare favorably when compared with U.S. border states. A popular theory to explain the discrepancy is the predominance of freeway travel in the U.S. via the Interstate Highways, which traditionally are the locale of fewer accidents relative to inner city streets and country roads, in combination with the lower U.S. maximum speed of 55 m.p.h. 1981 accident rates, versus Ontario's 2.0 and Canada's 2.7 average, are :

Minnesota	1.2	Michigan	1.7
Wisconsin	1.7	Ohio	1.4
Illinois	1.8	Pennsylvania	1.8
Indiana	1.4	New York State	2.1

Average U.S. rate : 1.9

Pilot Project

In an effort to reduce the drinking-driving element in our accident statistics, the working committee is eliciting the support of police, legislators and citizen groups as well as experts at the Addiction Research Foundation and the Traffic Injury Research Foundation in the development of a project to assess the assistance our communities will need to implement anti-drinking-driving efforts and to fine-tune the project to suit the individual make-up of our various cities, towns and vast rural areas.

Using the most up-to-date information and experts available, we are recommending that a carefully planned community-based pilot project be developed and implemented in one or more Ontario communities at the earliest opportunity.

Once completed, the community-based model being offered will include the best available information on the drinking-driving problem ; community organization and volunteer recruitment ; ongoing assessment techniques ; access to available materials such as publications, films, etc.

Changing Attitudes: A Final Option

Again, we cannot be certain our attempts to change social mores will be successful and we recognize that a change in attitude does not necessarily translate into a behavioral change, but we can be certain that we are pioneering one of the final options remaining in the struggle against drinking-driving.

As some researchers have suggested, it is possibile a solution will never be found. We may well be witnessing a period of control on drinking and driving that will not improve with time. Of course, the researchers -- like the task force -- are not yet willing to accept such a defeatist attitude. If such a day ever arrives, our time will be better spent lessening the effects of a crash rather than seeking to prevent its actual occurrence.

This effort to affect a total turnaround in societal attitudes will mean an extensive commitment in time, energy and resources in order to keep the level of commitment high and allow what we recognize as an arduous, slow-moving process to evolve.

But we believe this commitment may bring us the desired results.

Ideally, we will be a society whose concerns about drinking and driving rest on the potential damage to our fellow citizens rather than on the possibility of arrest.

Rather than any single approach, a community-based effort will enable us to tackle the problem on all levels -- law, education, conventional and alternative sentencing, rehabilitation programs, communications -- while one of the most powerful forms of persuasion, peer pressure, acts as a constant reinforcement.

It is this attack at all levels which, we hope, will enable us to touch the various personalities which make up the drinking-driving population.

More responsibile adults may result in more responsible teen drivers. Finally locking drinking-driving into the category of socially-unacceptable behavior may keep 'social' drinkers off the roads. Education may eventually eliminate or at least drastically reduce the 'hard-core' drinking-driving element. Communication efforts may finally convince would-be drinking drivers that if they do not care about their own safety, they should care for the safety of others.

We know what doesn't work. It is time now to commit ourselves and our resources for an indefinite length of time to a holistic approach that our best instincts, our best research minds and our most recent success stories, tell us can work.

2. PERMANENT OFFICE TO DEAL EXCLUSIVELY WITH DRINKING AND DRIVING

The Complex of Organizations and Information

In its attempts to assess the extent of the drinking-driving problem, the task force was impressed by the number of individuals and organizations concerned and active in the field.

Ontario ministries involved include the Attorney General, Solicitor General, Consumer and Commercial Relations, Corrections, Education, Health, Transportation and Communications, and the Provincial Secretariat for Justice.

Ontario's Addiction Research Foundation devotes a considerable portion of its energies to research on drinking and drinking-driving, as does the Traffic Injury Research Foundation of Canada, a non-profit research agency.

Police departments, safety groups, private industry, alcohol research and treatment organizations, communities and now citizen groups all are working to reduce drinking-driving.

Federally, an extensive array of ministries are involved with drinking-driving, with Transport Canada and the Department of Justice taking the lead.

(For a more complete list of organizations, see Appendix I.)

An incredible variety of studies on drinking-driving countermeasures around the world have been documented as have repeated attempts to affect changes in attitude and behavior.

There also exists an extensive supply of movies, pamphlets, posters, and courses relating to drinking-driving.

The Need for a Permanent Office

In the light of what exists, it is unfortunate that organizations and individuals newly interested in the field do not have a direct line of access to the needed information, materials and individuals.

Citizen groups in particular -- operating with a volunteer staff -- are delayed and often thwarted in their attempts to elicit information and support from the scattered drinking-driving network and the confusing and often intimidating realm of government.

The time necessary to become familiar with drinking-driving literature and the workings of government can be extensive indeed.

As Ontario attempts to sort out its own duplication of efforts and keep itself abreast of the relevant information affecting the many aspects of drinking driving -- health, legal, education and communications efforts to name a few -- it becomes clear that a co-ordinating office is needed to inform and direct our future efforts, as well as to assist and encourage efforts in the private sector.

Drinking and driving has become a clear priority. Citizen groups are to be praised for their efforts in forcing the issue to bear upon all of us. If we do nothing to sustain the momentum already established for an anti-drinking and driving movement, we risk not only the waning of enthusiasm for these goals, we risk the further, increasing loss of life.

Within the research community, frustration has been expressed at government's seeming lack of commitment to a long-term effort. Programs which do not produce tangible results within a relatively short period of time are tossed aside, they complain. The reasons given for such a lack of commitment are these :

(i) programs are implemented without the necessary consultation with experts

(ii) no evaluation mechanism is built in to a program to allow for proper assessment

(iii) government finds it difficult to support a program which does not produce the desired results quickly, and

(iv) the research community has tended to give an overstated view of the problem's magnitude thereby giving both legislators and the public unrealistic expectations of success.

This overestimation by the research community can be attributed to the best of intents : the necessity to obtain funding for needed research in a field where the number of drinking drivers is such a relatively small portion of the population.

Pointing an accusing finger at both researchers and legislators for their mishandling of past programs, a group of international experts speculated at their 1981 symposium : " . . . Viewpoints based on professional (or bureaucratic) survival 'short-circuit' such pragmatic ways to increase the overall cost-effectiveness of societal efforts to reduce the magnitude of the alcohol-crash problem. These (very human) constraints and conditions resist change even as the alcohol-crash problem seems to resist efforts to reduce it." (Alberta Workshop, 1981, p.36)

Acknowledging the need for a central office to improve the chances of success, the group speculated : "A prerequisite to change is the creation of a more effective, centralized management of drinking-driving control measures at the Provincial level.

"Another prerequisite is comprehensive cost-accounting along with accurate monitoring of the magnitude of the problem over time. Until data are generated to permit informed decisions by policymakers, and the objective import of these data communicated clearly to those responsible, past practices will likely prevail, namely, programs will continue unabated and not called to account." (Ibid. p. 36)

We find ourselves faced with a problem so widespread and so unique that we consider it imperative to have a full-time co-ordinator in place to seek its solution.

While we hesitate to attempt Canada-wide efforts at this point, the need for a strong leadership role in the drinking-driving dilemma within our own province is vital.

Various sections of government have attempted to give drinking and driving the attention it calls for, including Ontario's Highway Safety Co-ordinator, through the Ministry of Transportation and Communications. However, until the authority is given to one person or one office to devote full-time energies in this area, we believe efforts will remain unco-ordinated and, therefore, unproductive.

It is our recommendation that necessary staff and facilities be carved out immediately within existing government resources for a new office to be assigned accountability to the Premier's Office.

From the Government's standpoint, the office would be responsible for: 1) co-ordinating long-term planning, liaison and up-dating among its own ministries; 2) supervising research; 3) initiating new anti-drinking-driving efforts; and 4) acting as the liaison between government and the public.

Based upon reaction to date, we expect little trouble in eliciting the co-operation of the various groups and agencies we regard as vital to success: research agencies such as the Traffic Injury Research Foundation and Addiction Research Foundation; the Insurance Bureau of Canada; the brewing industry; educators; communication experts; and law enforcement officials.

It is our expectation that such an office can be organized while final recommendations of the task force are being formulated to facilitate this new and hopefully successful attack on the problem of drinking and driving.

FURTHER RECOMMENDATIONS

1. **Increase visible police enforcement through increased roadside checks and use of breath screening devices.**

    The success of RIDE programs is difficult to assess primarily because it is impossible to determine how many drivers actually have been deterred from driving while under the influence of alcohol as a direct result of the programs.

    However, one criterion of success surely is the number of impaired drivers identified in roadside breath testing. Ideally, a successful RIDE program would result in no alcohol-related charges being laid.

    In Metropolitan Toronto, it is the decrease in the number of charges laid which police point to as proof of the program's success. Their support for RIDE remains firm.

    To increase the visibility of police enforcement, thereby increasing the perception of likely detection and thereby serving as a forceful deterrent, we recommend that police forces throughout Ontario purchase and use additional roadside screening devices.

2. Institute photo licences for Ontario drivers and establish new safeguards for licence acquisition.

    The suggestion of increased licence suspensions has been left aside for the moment because of the difficulties in policing suspensions under the current system. (In addition, further study will be done as to the maximum suspension deemed acceptable before a counter-productive effect sets in.)

    What makes increased suspension pointless at this time is the lack of photo licences. In Metro Toronto alone, police estimate 40,000 drivers whose licences are suspended pass through city streets each day.

The current system allows people of similar build and coloring to use one another's licences. In addition, new and replacement licences are issued so readily that the coded, individual driver number is a miniscule defence against the barrage of possible forgeries.

To decrease abuses of the licensing system, to assist in police enforcement and to make the licence suspension penalty more meaningful, we recommend that necessary funding be acquired to institute a computerized system of photo licences in Ontario.

3. The government of Ontario adopt, and communicate to the federal government, a formal position of support for the mandatory acquisition of blood samples.

When alcohol is suspected as a contributing factor to a collision, breath sampling is not always possible because of lengthy delays, injuries and because of the increasing problem of feigned injuries. Also, other drugs which may be contributors to the collision are not detectable in a breath sample and require blood for proper analysis.

Mandatory blood sampling is supported by the Canadian Bar Association, the Canadian and Ontario Medical Associations as well as the Law Reform Commission of Canada. Consideration also should be given to the implied consent laws used in the United States where possession of a driver's licence is deemed as implied consent for the taking of blood samples in relation to drinking-driving offences.

To ensure a more equitable system of justice and to increase the detection rate of impaired drivers, we recommend Ontario extend formal support to the institution of mandatory blood sampling in Canada.

We further recommend that government at both the provincial and federal level adopt suitable legislation to ensure medical staff have some form of protection from criminal charges or civil suits relating to their proper, required involvement in the sampling procedure.

4. Increase the amount of drinking-driving law enforcement training given police with added emphasis given to the seriousness of the offence and the necessity of greater detection.

New efforts and new laws are merely words on paper without police involvement and co-operation.

In conversations with police officers, and via an Addiction Research Foundation survey of police attitudes, a picture emerges of lack of training and in-house respect for anti-drinking-driving efforts.

From their unique vantage point, 59 per cent of those surveyed believe the general public remains unconcerned about the problem and sympathetic to those charged while both uniformed officers and administrators themselves rank drinking-driving as the eighth priority in a list of 15 offences.

If the massive scope and tragedy of the problem receives the greater emphasis we believe necessary during police training, the problem remains of giving new respectability to the enforcement efforts one hopes would follow. The number of drivers stopped, checked for alcohol and charged is not currently considered a measure of job productivity. Sadly, drinking and driving appears to be given the low status of a traffic offence rather than recognition of its real impact as a Criminal Code offence.

Surely if drinking-driving enforcement is to be given a higher priority rank, concerted efforts must begin at the training level and instituted in administrative ranks to communicate the seriousness of this offence.

To ensure that police officers are aware of the problem's scope and to increase familiarity and proficiency in the use of roadside breath testers, we recommend that the current system of police training be revamped to allow greater emphasis on drinking/ driving enforcement efforts.

To ensure greater in-house respectability for drinking-driving enforcement and to create an environment conducive to increased participation, we further recommend that Ontario's forces, in co-operation with the Ontario Police Commission, institute a review of the priority assigned to various drinking-driving offences under the Criminal Code.

5. Improve co-ordination of government's drinking-driving communication efforts.

While the task force examined drinking-driving countermeasures, communication offices within government met to examine their individual efforts in the field. Two facts emerged : 1) communication offices are actively involved with and, indeed, increasing their efforts on the problem ; and 2) there is a lack of co-ordination among ministries, leading to a duplication of efforts and a concentration of public information campaigns during the Christmas/New Year period with a resultant scarcity the rest of the year.

Public information campaigns are recognized as a valuable tool, particularly in communicating new laws and enforcement efforts.

While we heartily endorse a continuation of these in-house efforts, we speculate that greater benefits would result if these efforts were extended on a year-round basis with the assistance of the new drinking-driving co-ordinating office.

To gain the maximum benefit from in-house communication programs, to avoid duplication of efforts and to allow for a new, year-round system of anti-drinking-driving campaigns, we recommend that government communicators develop an improved system of interaction and use a new co-ordinator's office as a pre-campaign clearing house of ideas and intents.

6. Improve the collection of drinking-driving data in Ontario.

As the task force began its assessment of drinking-driving countermeasures and consequences, it soon became obvious that we would be laboring under a lack of both provincial and federal statistics.

Information we regarded as basic to a thorough review of the problem simply was not available. Without a painstaking, manual review of court records in individual jurisdictions, we cannot produce a detailed picture of the impaired driver or the sentences being adjudged by the courts. Therefore, we cannot detail recidivism rates, link those rates to the type and severity of sentence, or aim our efforts with accuracy on that segment of the population we wish to reach.

Neither can we say with certainty at what BAC drivers are being charged. An Addiction Research Foundation survey of sentences being imposed at Toronto's City Hall courts revealed only an 80-per-cent conviction rate for drivers charged with driving with a BAC in excess of 80 mg%. Why are 20 per cent of these drivers escaping conviction when such a reading is strong evidence that the law has been broken?

With computerized records of accidents, new information and trends could well reveal themselves and assist in countermeasure developments. And if the success of these countermeasures is to be gauged, surely we need more complete and standardized record keeping via police reports and the courts.

In addition, the effectiveness of any new measures implemented can only be judged if a basic criterion for success and failure is established.

To assist research endeavors, to ensure the acquisition of necessary data within our own jurisdiction and to assist the creation of viable countermeasure efforts, we recommend a review of police and court record systems be implemented to allow for standardized, computerized drinking-driving data collection.

It is our hope that similar efforts will be launched on a province- and nation-wide basis.

7. Improve access to and keeping of drinking-driving records.

A system of first, second and subsequent offences with increasing severity of penalties is rendered ineffectual if an appropriate system of record keeping is not in place. The task force questions Ontario's current system which allows records to be kept on file for a maximum of five years at which point they are withdrawn from the computer network.

While the justice system requires the Crown to establish proof of previous convictions, that same system does not require the taking of either photographs or fingerprints from those charged with drinking and driving offences. If the accused or defence counsel demand proof of prior convictions, the Crown can be forced to bring in the arresting officer from the jurisdiction -- or series of jurisdictions -- in which the offences occurred.

The task force views this as an unacceptable waste of time as well as human and financial resources.

A further hindrance in the system is the lack of data co-ordination among the provinces. For example, drinking-driving convictions acquired in Manitoba are not likely to surface in Ontario, allowing the accused to be tried incorrectly as a first offender.

To eliminate the waste of time and money associated with proof of conviction and to allow for a more legitimate rendering of justice, we recommend that Ontario's system of record keeping be improved, particularly with regard to drinking-driving offences. We further recommend that the federal government institute new data co-ordinating efforts among the provinces and, having jurisdiction over Criminal Code offences, make the taking of photographs and/or fingerprints mandatory. We also ask that suitable measures be taken by the federal government to make proof of prior drinking-driving convictions easier.

RECOMMENDED FOR FURTHER STUDY

1) Drinking Age

In dealing with this sensitive issue, the task force wants to take particular care in its deliberations. We also would like the opportunity to gauge public support for a raised legal drinking age because, should government go that route, we believe a lack of support could mean minimal results with the possibility of regressive consequences.

Task force members want additional time to acquire more data on the young drinking driver in Ontario. In addition, as a result of several American states raising their legal drinking age, new information on its effects is being produced which we would like to review in the coming months.

2) Driving Age

Task force members regard the driving age as another area of particular sensitivity.

Because the legal driving age has remained relatively constant, a move to raise or lower it appears as a drastic breaking of tradition. Historically, in Ontario, concerns have been focussed on the drinking age, leaving the status quo intact for driver licensing.

We speculate that tradition and traditional views alone do not constitute justification for omitting a serious review of the province's established licensing criteria.

The Ministry of Transportation and Communications notes that 16 is regarded as an acceptable driving age because individuals are deemed to have achieved sufficient size, physical strength and maturity to operate a motor vehicle with competence.

However, the over-representation of young drivers (16 to 24) in all motor vehicle accidents, not just alcohol-related collisions, is clear. Accounting for

20 per cent of the population, they also account for a staggering 40 per cent of all accidents. The Traffic Injury Research Foundation, which is preparing for a detailed study on the variables contributing to this over-representation, uses three categories to explain the high-risk collision factor of young drivers :

(i) exposure - young people tend to drive more frequently during the higher-risk nighttime period than other drivers

(ii) alcohol involvement - a contributing factor in an indeterminate number of collisions

(iii) unknown variables - designated by TIRF to include driver inexperience, lack of maturity, poor judgment and higher propensity for risk taking.

We believe that a review of the driving age in Ontario to include the experience and varying restrictions of international jurisdictions is called for.

3) Lengthen Licence Suspension

While the provinces do not have jurisdiction over the establishment of jail terms relating to drinking-driving, Ontario's Highway Traffic Act does allow for extensions of driver licensing suspensions.

Information regarding suspensions as a deterrent is included in this paper. However, as noted earlier, we question the effectiveness of longer suspension periods in the absence of photo licences -- something we hold as vital if suspensions are to be more meaningful and enforceable.

While we await approval for the photo licensing recommendation, task force members are acquiring the necessary data on the length of suspension deemed workable before a counterproductive effect sets in.

4) Advertising

Expressed public concern regarding lifestyle advertising as well as our desire not to unduly penalize brewers, distillers or advertisers demands that we examine the question of advertising more fully.

The task force would like time to review additional material on the subject, assess the co-operation we can expect from alcohol-related industries and examine the level of compliance with existing lifestyle advertising laws.

5) Administrative Licence Suspension

With acceptance and widespread use of administrative licence suspensions evident in the U.S., the task force intends to examine the effectiveness of withdrawing driving privileges immediately after BACs in excess of the legal limit are recorded.

Further time also is required to determine if and how such a suspension system could be instituted within our own jurisdiction.

6) Lower BAC for New Drivers

The establishment of any new restrictions regarding blood alcohol concentrations is another area within federal jurisdiction.

However, our studies have revealed sufficient concern about the effects of even limited amounts of alcohol on the new drinker and new driver, that the task force intends to pursue the viability of a tiered system of BAC restrictions.

7) Driving Curfews for New Drivers

The institution of curfews is now being assessed and/or attempted in several U.S. jurisdictions, based on the knowledge that young people are the most frequent drivers during the high-risk nighttime period.

Study also is ongoing regarding a distance limit to be imposed on new drivers (i.e. allowing them to drive only within a designated circumference of their home or workplace).

The task force believes these options are worthy of consideration both as deterrents in their own right as well as possible alternatives to legislative change in other areas such as the drinking age, driving age or new BAC.

APPENDIX I

Associations, Groups and Ministries Contacted

1) Ontario Ministry of the Attorney General
2) Ontario Ministry of Health
3) Ontario Ministry of the Solicitor General
4) Ontario Ministry of Consumer and Commercial Relations
5) Ontario Ministry of Transportation and Communications
6) Ontario Ministry of Education
7) Ontario Ministry of Municipal Affairs and Housing
8) Provincial Secretariat for Justice
9) Centre of Forensic Sciences
10) P.R.I.D.E. (People to Reduce Impaired Driving Everywhere)
11) M.A.D.D. (Mothers Against Drunk Driving)
12) C.A.I.D. (Citizens Against Impaired Driving)
13) RIDE (Reduce Impaired Driving Everywhere)
14) Addiction Research Foundation of Ontario
15) Traffic Injury Research Foundation of Canada
16) Ontario Police Commission
17) Ontario Association of Chiefs of Police
18) Ontario Police College
19) C.O. Bick Police College
20) Ontario Association of Provincial Court Judges
21) Ontario Crown Attorneys' Association
22) Ontario Medical Association
23) Canadian Medical Association
24) Ontario Public Health Association
25) Ontario Motor League
26) Ontario Safety League
27) Council on Drug Abuse
28) Safety Research Group

29) Ontario Traffic Conference
30) Association of Municipalities of Ontario
31) Federal Ministry of Justice
32) Transport Canada
33) Canada Safety Council
34) Insurance Bureau of Canada
35) Brewing Industry
36) Motor Vehicle Manufacturing Industry
37) Motor Vehicle Insurance Industry
38) Offices in : London, Paris, Belguim
39) Chamber of Commerce - Provincial Chapter
40) North York Task Force on Drinking and Driving
41) Hamilton Auto Club
42) Council on Road Trauma
43) Parent-Teachers Association (Ontario)
44) Physical Education Association
45) B.C. CounterAttack Program
46) Alberta Checkstop
47) Alberta Alcohol & Drug Abuse Centre
48) Manitoba Drinking-Driving Task Force
49) U.S. Presidential Commission on Drunk Driving
50) U.S. National Highway Traffic Safety Administration
51) U.S. Insurance Institute for Highway Safety
52) U.S. National Technical Information Service

REFERENCES

Alberta Impaired Drivers' Course.
Alberta Alcoholism and Drug Abuse Commission, 1982.

Babor, T.F., Mendelson, J.H., Greenberg, Isaac, and Kuehnle, John.
Experimental Analysis of the 'Happy Hour': Effects of Purchase Price on Alcohol Consumption. In Psychopharmacology 58, pp. 35-41, 1978.

British Columbia. Motor Vehicle Task Force Report, 1980.

Brown, D.B., and Maghsoodloo, Saeed.
A Study of Alcohol Involvement in Young Driver Accidents with the Lowering of the legal Age of Drinking in Alabama. In Accident Analysis and Prevention, Vol. 13, pp. 319-322, 1981.

Chattaway, L.D.
Analysis of Six Year Trends in Alcohol Levels in Traffic Fatalities in Canada. Ottawa, Ontario, Traffic Injury Research Foundation, 1980.

Cimubia, G., Warren, R.A., Bennett, R.C., Lucas, D.M., and Simpson, H.M.
Drugs Detected in Fatally Injured Drivers and Pedestrians in the Province of Ontario. Ottawa, Ontario, TIRF, 1980.

Clayton, A.B., McCarthy, P.E., and Breen, J.M.
The Male Drinking Driver: Characteristics of the Offender and His Offence. University of Birmingham, England, Accident Research Unit, Department of Transportation and Environmental Planning, 1980.

Drinking-Driving Laws: What Works?
The Highway Loss Reduction Status Report. Washington, D.C., Insurance Institute for Highway Safety, Vol. 16, No. 5, April, 1981.

Dubowski, K.M.
Recent Developments in Breath-Alcohol Analysis. Oklahoma City, Oklahoma, University of Oklahoma, College of Medicine, 1974.

Edelman, Sandra, and Walker, David.

Impaired Driving -- A Critical Review of the Research Literature. British Columbia, Canada. Drinking Driving CounterAttack, 1980.

Great Britain.

Drinking and Driving: Report of the Departmental Committee. London, England, Department of the Environment, 1976.

Hagen, R.E., Williams, R.L., and McConnell, E.J.

Effectiveness of Licence Suspension or Revocation for Drivers Convicted of Multiple Driving Under the Influence Offences -- An Overview of Three Studies. In Traffic Safety Newsletter, U.S. Department of Transport, 1981.

International Symposium Focuses on Problem of the Drinking Driver.

The Highway Loss Reduction Status Report. Washington, D.C., Insurance Institute for Highway Safety, Vol. 17, No. 18, December, 1982.

Jones, R.K., and Joscelyn, K.B.

Alcohol and Highway Safety 1978: A Review of the State of Knowledge. Ann Arbor, Michigan, University of Michigan, Highway Safety Research Institute, 1978.

Koch, G.G.

Commentary on Statistical Issues Underlying the Evaluation of a Social Policy Change on Motor Vehicle Accident Involvement. In Accident Analysis and Prevention, Vol. 13, pp. 323-329, 1981.

Koza, Pamela.

General Deterrence and Police Enforcement: Effective Countermeasures Against Drinking and Driving? Toronto, Ontario, Addiction Research Foundation, 1976.

Mayhew, D.R.

Age, Alcohol and Fatal Crash Risk. Paper presented to the 19th Annual Meeting of the Traffic Injury Research Foundation of Canada, Toronto, Ontario, May 27, 1982.

Mayhew, D.R., Warren, R.A., Simpson, H.M., and Haas, G.C.

Young Driver Accidents: Magnitude and Characteristics of the Problem. Ottawa, Ontario, TIRF, 1981.

Naor, E.M., and Nashold, R.D.

Teenage Driver Fatalities Following Reduction in the Legal Drinking Age. In Journal of Safety Review, Vol. 7, pp. 74-79, 1975.

Ontario Provincial Police. Safe Driving Campaign, 1982.

Ontario.

Motor Vehicle Accident Facts. Ministry of Transportation and Communications, Ontario, Canada, 1981.

Ontario.

Select Committee on Highway Safety. Government of Ontario, 1977.

Ontario.

The 1979 Ontario Roadside BAC Survey Summary Report. Interministerial Committee on Drinking-Driving.

Ontario.

A Review of "Check Stop" and the 24-Hour Licence Suspension. Interministerial Committee on Drinking and Driving, November, 1975.

Ontario.

A Report to the Provincial Secretary for Justice. Interministerial Committee on Drinking and Driving, August, 1974.

Organization for Economic Co-operation and Development. (O.E.C.D.)

New Research on the Role of Alcohol and Drugs in Traffic Accidents. Paris, France, 1978.

Reed, D.S.

Reducing the Costs of Drinking and Driving. Washington, D.C., National Academy Press, 1981.

Robertson, L.S.
Patterns of Teenaged Driver Involvement in Fatal Motor Vehicle Crashes: Implications for Policy Choice. In Journal of Health Politics, Policy and Law, Vol. 6, pp. 303-314, 1981.

Rockerbie, R.A.
CounterAttack Assessment and Perspectives. Vancouver, British Columbia, Ministry of the Attorney General, Policy Planning Division, 1980.

Ross, H.L.
Deterring the Drinking Driver. Toronto, Ontario, Lexington Books, 1981.

Sabey, B.E., and Staughton, G.C.
The Drinking Road User in Great Britain. Paper presented to the 8th International Conference on Alcohol, Drugs, and Traffic Safety at Stockholm, June, 1980.

Salzberg, P.M., Hauser, Richard, and Klingberg, C.L.
Research and Technology Division, Department of Licensing, Olympia, Washington, 1981.

Schmidt, Wolfgang, and Kornaczewski, Alex.
A Note on theEffect of Lowering the Legal Drinking Age on Alcohol Related Motor Vehicle Accidents. Toronto, Ontario, ARF, 1973.

Schmidt, Wolfgang, and Kornaczewski, Alex.
A Further Note on the Effect of Lowering the Legal Drinking Age on Alcohol Related Motor Vehicle Accidents. Toronto, Ontario, Addiction Research Foundation, 1973.

Smart, R.G.
Observations of Tavern Patrons Before and After the Compulsory Breath Test Law in Canada. In Quarterly Journal of Studies on Alcohol, Vol. 4, pp. 1122-1128, 1972.

Smart, R.G.
The Relationship of Availability of Alcoholic Beverages to Per Capita Consumption and Alcoholism Rates. Toronto, Ontario, ARF, 1976.

Smart, R.G., and Finley, Joan.

Changes in Drinking Age and Per Capita Beer Consumption in ten Canadian Provinces. Toronto, Ontario, ARF, 1976.

Teens and Autos: A Deadly Combination

The Highway Loss Reduction Status Report. Washington, D.C., Insurance Institute for Highway Safety, Vol. 16, No. 14, September, 1981.

TIRF.

Alcohol Involvement in Fatal Motor-Vehicle Accidents in Canada, 1979 to 1981. Preliminary Report. Ottawa, Ontario, TIRF, 1983.

United States.

National Safety Council, Office of Federal Affairs, Policy Update, Washington, D.C., 1982.

United States.

An Interim Report to the Nation from the Presidential Commission on Drunk Driving. Washington, D.C., 1982.

United States.

How to Save Lives and Reduce Injuries: A Citizen Activist Guide to Effectively Fight Drunk Driving, Washington, D.C., U.S. Department of Transportation,

United States.

Motor Vehicle Regulation, From the State Capitals. New Haven, Ct., Wakeman/Walworth Inc., 1983. National Highway Traffic Safety Administration, 1982.

Vingilis, Evelyn, and Salutin, Lorne.

A. Prevention Programme for Drinking Driving. Toronto, Ontario, ARF, 1979.

Vingilis, Evelyn.

Drinking Driving Countermeasures, Theory, Practice, Results. (Sub-study) Toronto, Ontario, Addiction Research Foundation, 1982.

Voas, R.B.

Selective Enforcement Driving Prime-Time Drinking-Driving Hours: A Proposal for Increasing Deterrence Without Increasing Enforcement Costs. In Abstracts & Reviews in Alcohol & Driving, U.C.L.A. Alcohol Research Center, Vol. 3, pp. 3-14, 1982.

Wagenaar, A.C.

Effects of the Raised Legal Drinking Age on Motor Vehicle Accidents in Michigan. In The HSRI Research Review, University of Michigan, Highway Safety Research Institute, Vol. II, pp. 1-8, 1981.

Wagenaar, A.C., and Douglass, R.L.

The Ups and Downs of Michigan's Legal Drinking Age and Alcohol-Related Traffic Accidents. In Abstracts & Reviews in Alcohol & Driving, U.C.L.A. Alcohol Research Center, Vol. 2, pp. 1-6, 1981.

Warren, R.A., and Simpson, H.M.

Exposure and Alcohol as Risk Factors in the Fatal Nighttime Collisions of Men and Women Drivers. In Journal of Safety Research, Vol. 12, pp. 151-156, 1980.

Warren, R.A., Simpson, H.M., and Chattaway, L.D.

Analysis of Fatal Traffic Crashes in Canada, 1977-78, Focus: The Impaired Driver. Ottawa, Ontario, TIRF, 1980.

Warren, R.A., Simpson, H.M., Buhlman, M.A., Bourgeois, L.A., and Chattaway, L.D.

Alcohol in Patients Reporting to Hospital for Treatment of Traffic-Related Injuries: The New Brunswick Study. Ottawa, Ontario, TIRF, 1982.

Whitehead, P.C., Craig, John, Langford, Nancy, MacArthur, Carol, and Stanton, Bruce.

The Impact of the Change in the Drinking Age on the Collision Behavior of Young Drivers. Presented to the Sixth International Conference on Alcohol, Drugs and Traffic Safety, Toronto, Ontario, 1974.

Wilde, J. S., and Murdoch, Paul.

Incentive Systems for Accident-Free Driving in the General Population. Kingston, Ontario, Queen's University, Department of Psychology, 1981.

Williams, A.F.

Teenage Drivers and Alcohol Use. Washington, D.C., Insurance Institute for Highway Safety, 1982.

Williams, A.F., and Karpf, R.S.

Teenaged Drivers and Fatal Crash Responsibility. Washington, D.C., Insurance Institute for Highway Safety, 1982.

POOR

QUALITY

ORIGINAL